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**There's Always Tom Morrow**

by SASundance

**Summary**

A look at how things might have gone if the MCRT had to face the consequences of ignoring protocol, procedures and the rule of law. In this universe Tom Morrow holds his agents accountable and delivers well earnt smack downs and consequences when they screw up.

This series consists of tags from season 1 and each tag is a stand-alone vignette, at the end of each tag everything will revert back to normal canon again.

There will be crossovers with characters appearing in guest and often minor roles in selected episodes from shows including: NCIS Los Angeles, Criminal Minds, JAG, SUV and White Collar.
A/N This series focuses on tags, mostly one shots for episodes in Seasons One and Two. It came about because it struck me as I was watching these early episodes yet again that for a police procedural drama, there are an awful lot of times when procedures, even laws are ignored. So as the show enters its 13th season I can’t help wondering if the writers had focused more on making sure that protocols and procedures were observed, including the chain of command, in those first couple of series how it would have impacted on how the show, how the team evolved.

Warnings: Since I am mostly focusing on the faux pas and failures to follow procedure don’t expect there to be a lot of warm and fuzzy team moments although Tom isn’t as averse to handing out ‘good jobs’ when they’re warranted as Gibbs so there might be a few sappy moments.

Disclaimer: These characters don’t belong to me – if they did I’d make sure they observe the law and procedure a darn sight more than they do. These tags are purely for entertainment purposes and as such I don’t make any money from them.

This one is fairly short and sweet. If there was a procedural boo boo that bugged you in an episode during S1 or S2 feel free to let me know. It might end up in a tag if I haven’t already written one for that particular episode.

I’m hoping at the end of each tag to leave readers wondering how the ending might have changed canon.

Series: There’s Always Tom Morrow
Chapter Title: Hit The Road Jack…
Episode: Yankee White
Characters: Tom Morrow and Leroy Jethro Gibbs
Director Thomas Morrow sat at his desk, reading thorough the reports from the MCRT case of the terrorist attempted to kill the President. When the Naval Commander Ray Tripp, filling in for the rostered Football Carrier who was ill, was poisoned there had been an ugly three way agency brawl over who would head the investigation into his death, since it had occurred on Air Force One just after he’d eaten lunch with the President. Dr Donald Mallard or Ducky to his friends, of which were many and eclectic, had swung the ball firmly into NCIS’ court by having the Kansas coroner (an old crony of his) hold the body and therefore the plane and had refused to allow anyone to remove Commander Tripp until Gibbs, Ducky and DiNozzo had managed to get a flight to Wichita, Kansas. This had resulted in them being able to gain control over the crime scene, commandeer the plane and the Commander and fly with the body back to DC.

Naturally the Secret Service wanted control over the investigation since they were tasked with the President’s protection but apart from investigating fraud of US currency and cyber manipulation of the economy, they weren’t equipped to investigate death scenes such Cr Tripp’s untimely death. The FBI insisted that it was their bailiwick since it involved the President, while NCIS asserted that as Tripp was Navy it put the investigation firmly within their jurisdiction. Since it was a high profile case, which could potentially be an attempt to assassinate the POTUS no one wanted to let go of it and unbridled ambitions came to the fore. The three federal agencies were like a pack of mangy, raving hyenas, desperately fighting over a bone but NCIS had managed to get the upper hand by getting hold of the plane and therefore the crime scene and custody of the body. As Ducky had demonstrated so amply, it isn’t what you know so much as who you know, which allowed NCIS to emerge victorious. Plus, once you’ve won the battle you needed to keep your guard up so the prize wasn’t snatched out from under your nose. The ‘you snooze you lose’ principle. And as the winners knew only too well, it was a no-brainer that when the higher-ups got involved, deals and coalitions would be formed by enemies agreeing to work together to thwart Gibbs. It was inevitable that NCIS would run point in what became a three agency investigation.

As Tom had pointed out rather smugly to his colleagues, his agency had the body and the rest of the forensic evidence too. Gibbs, Ducky and DiNozzo were damn good at their jobs and more than a match for the other alphabets. Oh yes, he’d been aware of how they pulled the switch at Andrews and conned the Secret Service and the Fibbies into thinking they had got one over on them and had custody of the body. Of course anyone that knew Gibbs would have known that there was no way in Hell that Gibbs would give it up to the FBI once he had it and the director knew that the former gunny was a ruthless SOB.

Still, the director never realised just how much or how damned far he was willing to go to win their inter agency pissing contest over jurisdiction until he read Agent Axelrod’s report. It detailed his late night mission to retrieve a body bag thrown out of a moving FBI vehicle and onto the beltway. Lifting his phone, he instructed Cynthia to inform Gibbs he wanted to see him ASAP.

Gibbs strode in. Nonchalant as per usual, ubiquitous cup of coffee in hand and with that air of arrogance that riled the FBI and often his fellow team leaders to the point of distraction. Gibbs was good and he knew it. Still the man had gone too far and Tom was going to tear the former Marine a new one that was big enough to fit his size twelve director’s black Salvatore Ferragamo loafer into it. Maybe two!

“Sit, Gibbs. I’ve just finished reading Agent Axelrod’s report of his contribution to the case. I just
want to check the facts with you as the lead agent in charge of the investigation.”

Jethro shrugged in lieu of having to make a verbal response, sipping on his coffee. Morrow swore that if they drilled for blood all they’d find in Gibbs’ veins would be thick black tar.

“He states that you ordered him to follow the FBI mortuary vehicle that the FBI assumed was transporting to the FBI lab the remains of Commander Tripp but in fact the body bag actually contained Special Agent DiNozzo inside which you had switched to give you sufficient time to get the real body back to our morgue When you felt that you and the real cadaver were far enough away from Andrews Air Force Base to avoid being detained, you rang DiNozzo on his cell while he was in transit. According to Agent Axelrod, your intention was to deliberately blow his cover so that the FBI would know that they had been duped. Correct so far?”

Gibbs nodded, still not bothering to speak. He was not a Chatty Cathy. He did however have a smirk on his face, clearly amused by the situation that had unfolded.

“Axelrod further states in his report that you told him that when the FBI tossed the body bag out onto the road that he was to retrieve DiNozzo. Is that true?”

“Yep, sounds ‘bout right.”

“Good God man! What were you thinking?” Morrow yelled at the SSA. “You placed DiNozzo in danger – what if he’d been hit by a car, what if he’d been run over by a semitrailer before Axelrod could reach him? What if Axelrod had gotten skittled playing Russian roulette with the traffic? It was especially dangerous at night when visibility was poor. How did you expect a dark blue body bag to show up on the road at night?” He glared hard at his agent who looked far from repentant.

“You failed in your duty of care and placed both agents in grave danger. While there are situations where that may be unavoidable, this clearly was not one of them… no civilians were in imminent danger.”

Tom took a breath before demanding, “Why not simply have Axelrod collect DiNozzo when the van arrived at its destination? It would have avoided placing him…them in danger. It was completely reckless and stupid.”

“I couldn’t wait. I needed DiNozzo to search Tripp’s apartment.” Gibbs argued. “Don’t like sitting around on my ass when there’s an ongoing investigation.”

“If it was that damned important to start searching, then why didn’t you get off your ass and do it yourself? I understand after bringing the body backed to autopsy, you badgered Ducky for his findings and when you were told they wouldn’t be available for hours you laid down and rested on an autopsy table. You could have done the search then or you could have ordered Agent Axelrod to carry out the search. There is no justification for you endangering DiNozzo like that – he’s far too valuable to be treated in such a cavalier fashion. Or Agent Axelrod for that matter.”

“He’s fine. Don’t see why you’re makin mountains outta molehills, Tom. Besides, DiNozzo knows how to conduct a search properly, he’s good at his job. Don’t trust Axelrod.”

“Yeah, and that concerns me that you can’t see what the ‘fuss’ is about. They’re all just toy soldiers for you to move around on your game board to help you reach your objective, aren’t they? You’ve lost sight of the fact that your agents are living, breathing humans who hurt and bleed. Good heavens, DiNozzo was totally helpless inside that body bag. He wouldn’t have been able to see oncoming vehicles to try and avoid them, even if he could take evasive measures inside that damned restrictive bag. You’re damned lucky he wasn’t killed by your idiocy,” He shouted at his subordinate, fuming that the dumb ass seemed secretly amused.
“Never lost an agent, Tom.”

“Yet, Gibbs and this time was pure luck, nothing more... but everyone’s luck runs out, sooner or later. There’s always a first time. As Ducky would say, pride goeth before a fall, Senior Special Agent Gibbs. Consider this an official warning; you blow an agent’s cover again for a petty reason and I’ll have you permanently working as Ducky’s autopsy assistant scrubbing floors. Are we clear?”

“Clear Director.”

“Good, now go and arrest Fornell for reckless endangerment and attempted murder of a federal agent. I’ll have Legal see if we can charge the bastard and make it stick. At the very least, it will make him think twice about messing with one of my agents in the future. Oh and wipe that smirk off your damned face, Gibbs. I’ll be requesting that Legal review your actions in the matter, too. So don’t be surprised if you get hit with a charge for reckless endangerment too, Gibbs.”

Tom felt a modicum of satisfaction at the flicker of concern that crossed the face of the team lead. Good! Serves him right, the cold reptilian bastard.

As Gibbs strode to the door and was opening it, he fired his last salvo. “Oh and Gibbs, tell Special Agent DiNozzo that I want him to report to the ER for a full examination and documentation of injuries sustained as a result of Fornell’s reckless and criminal actions. I want medical reports, the whole kit and caboodle. Do I make myself clear?”

“Perfectly, Director Morrow. But why can’t Ducky do the examination? DiNozzo’s got work to do.”

“Are you questioning a direct order, Jethro? If Ducky could do it, I’d have ordered him to. It needs to be an impartial examination by a third party if it’s to stand up in court. Besides, Ducky is on my shit list for going along with your idiotic plan and doing nothing to stop it. Tell him from me that I’m pissed and I’ll be making my displeasure known, at my convenience. Now get out!”

The End
Hung Out To Dry: Fallout!

Chapter Summary

Hung Out To Dry - The team are called to what appears to be an violent but accidental death of a marine paratrooper whose chute didn't open on a night jump and speared into an SUV containing two teens making out.

Chapter Notes

I posted in a hurry and therefore was remiss in giving credit where it was due. Several people have commented on the brilliance of the title and I admit it is awesome but I can't take credit for it. My beta Arress came up with it and quite a number of of the tag titles too - she is amazing. I neglected to thank her for her beta'ing and for Frakkin Toasters for her overall input into these tags too as I'm in the middle of a project atm and time is at a premium. Just finally I need to give a special shout out to two people for this tag - icprnscss2 for all your procedural information and for Frakkin Toasters for a comment she made about the closing scene of this episode that gave me my ending. As always, any faux pas are my bad so I hope that covers everyone.

Series: There’s Always Tom Morrow
Episode: Hung Out to Dry
Title: Fallout
Characters: L.J. Gibbs, Tom Morrow, Commandant May, Judge Advocate General Admiral Chegwidden, Rosemarie and Billy Fuentes
Disclosure: Don’t own them, don’t profit from them.

Fallout
Director Morrow sighed as he took in the stony countenances of the two men in the room with him, slowly sipping on their single malt whiskeys. He was here in the Base Commandant’s office, trying his best to put out fires caused by his most abrasive agent but he had to admit that he didn’t feel like he was making a lot of headway. Mind, it wasn’t as if he had a lot to work with given the situation. Perhaps he should have brought Special Agent DiNozzo with him since a significant portion of his job was soothing the ruffled feathers of people having to deal with his boss, Leroy Jethro Gibbs.

“Face it, Tom. The man’s a genuine, god-damned menace. All because he wasn’t prepared to wait twenty four hours for a DNA test to come back, he has single-handedly thrown my base into disarray.” Commandant May scowled at the unfortunate NCIS director as if he was to blame and Tom supposed as the director of NCIS that the buck must stop with him.

“Not just the Marines, Tom. My judge advocates are in it up to their necks with all the work he’s caused us – prosecuting or defending Marine paratroopers for a situation that was totally unnecessary and all because of that lame-ass stunt he pulled. The only one that should have ended up been charged at the close of the case was Corporal Dafelmair for murdering Sergeant Fuentes, yet all of Fuentes’ stick plus several others are now facing charges - thanks to Gibbs. And I just know
Defelmair is going to cry foul and plead entrapment over that confession or that it was obtained under duress. Chances are it’s gonna be thrown out!” The Admiral growled, glaring at Tom furiously.

“As if it wasn’t bad enough to have lost a damned fine Marine like Sergeant Fuentes, now I’m faced with losing a good portion of the troop. Thanks to Special Agent Gibbs.” Commandant May also speared Tom with a look that could curdle milk, even if it was fresh from the cow’s udder.

“Corporal Brinkman’s quite possibly looking at the big chicken dinner for reckless endangerment, conduct unbecoming and if that wasn’t enough, assaulting a federal agent by pushing Special Agent DiNozzo out of the plane. Luckily Special Agent DiNozzo wasn’t seriously injured or he’d be facing a raft of even more serious charges and facing serious prison time, not just dishonourable discharge. The others who took part in the all-out brawl - for expressing their anger at Dafelmair murdering Fuentes are probably looking at loss of rank, privileges and brig time for reckless endangerment of a civilian and conduct unbecoming.

“Then there’s Captain Faul who’s is a shit load of trouble for letting a civilian who’s not qualified to jump, take part in a night time training exercise - against every regulation, just because he and Gibbs got caught up in a pissing competition. JAGs still working out what charges to lay and Captain Faul and the squad’s jumpmaster, * who kitted DiNozzo and Gibbs out with their chutes and allowed a civilian with absolutely no training to go up in the plane, are in so much damned trouble it ain’t funny. As well they should be!

“It’s a miracle that Special Agent DiNozzo didn’t break his freakin neck. The fact is Tom, the whole damn troop has been decimated by Gibbs ill-conceived stunt.”

Tom was stricken at the litany of careers that Gibbs’ obsession and impetuousness has destroyed. Morrow wasn’t a Marine but he knew that even in the best case scenario, which was if the men managed to escape with minor penalties such as loss of rank, it likely wouldn’t save them from losing their position on such a highly coveted squadron as the paratroopers.

If their legal counsel performed a minor miracle, which was pretty damned unlikely, and got them off without penalties it would still go in their jacket and follow them for their entire military career. They could effectively kiss goodbye to any future promotions, so even if they won, they had already lost. And if the worst happened and they received a dishonourable discharge – finding employment in the civilian sphere would be seriously impeded too.

So much collateral damage! His agents were supposed to be protecting Marines, Sailors and their families, not decimating careers because of blindness obsessions and becoming overly involved in a case. It was a luxury they couldn’t afford, that their stakeholders couldn't afford. He knew that Gibbs had vowed to Sergeant Fuentes’ widow and his young son to catch their husband and father’s killer. He suspected…no he knew that it was at the root of Gibbs’ dumb-ass decision to force a confession out of Corporal Dafelmair when they already had sufficient evidence to charge him with murder.
He’d refused to wait until the evidence was processed, insisting they get a confession from the killer immediately.

Yet his lack of foresight, his failure to act in his team member’s best interests or the Marines he was supposed to be supporting, amounted to negligence. Not to mention his high-handed refusal to follow rules and regulations or his penchant to consider himself above the law couldn’t just be explained away by his identification with the dead Marine’s family. Nor could it ever justify it - whatever happened to his much quoted Rule# 10?

The damned hypocrite couldn’t even follow his own damned rules. After all, he’d already butted heads with Captain. Faul in the paraloft before he’d even encountered Mrs Fuentes and little Jimmy
There really wasn’t any excuse for Gibbs to bludgeon his way onto the night training jump against every military regulation, let alone drag a totally unqualified subordinate along for the ride – no pun intended. As a former Marine who’d completed jump school back in the day, Jethro knew damned well that DiNozzo had absolutely no business being aboard the training flight that night. There’s no way Jethro didn’t know how dangerous it was for someone unqualified like his senior field agent to be up there, especially in such a volatile situation. Bottom line - he either didn’t care or he was too focused on getting a result to be able to do his job as team leader effectively.

If Tom didn’t know better, he’d think Jethro was deliberately putting DiNozzo in danger. After all, it was only last week that Gibbs had deliberately endangered DiNozzo when he had him hide in a body bag and swap it out for the poisoned body of the POTUS’ ‘football carrier’ snatching it out from under the FBI’s nose. Apart from the dubious ethics of the act, he then compounded his transgression by calling up DiNozzo on his cell phone while he was inside the body bag en route to the morgue. It resulted in a freaked out and extremely pissed off FBI agent slinging DiNozzo out on the beltway still inside the body bag at night, and from the moving vehicle. DiNozzo was just damned lucky he didn’t end up as road kill and Gibbs thought it was a huge joke, which was hardly a sign of good CO.

Tom sighed. “I’m so sorry Commandant. I had no idea just how much damage Gibbs had really caused with his damned dog and pony show. I’ve placed an official reprimand in his jacket and handed him a two week suspension. I know that seems pretty lame when you compare that with the destruction he’s brought down on the platoon and it is but we’re not bound by the UCMJ, as you know.”

Admiral Chegwidden nodded emphatically. “You’re right director, on both counts. It’s pitiful by comparison to what the paratroopers face. But I happen to know that he’s going to be called on by the defence to testify for every single paratrooper who is brought up on charges. So you can factor in him not being available to work cases for a few extra weeks, since he’ll be too busy appearing as a witness at all the courts martial he’s caused,” the Admiral smirked.

“Of course that’s in addition to Corporal Dafelmair’s court martial. Think you might need to organise a TAD senior supervisory agent for a lot longer than the two week suspension.” He looked meaningfully at Commandant May.

The Marine took over. “Indeed, Director Morrow. And while you were right, NCIS agents aren’t bound by the UCMJ - Special Agent Leroy Jethro Gibbs is not just a federal agent. He is a Marine Reservist - and I’ve decided to reactive his commission. As of this moment I’m unsure if we’re going to charge him like the other Marines or if we might just find more creative ways to make him suffer for this debacle. If we do decide to go this more creative route, before anything else, we’ll be making him requalify for jump school since there’s some pretty serious gaps in his training which urgently need to be addressed, and that’s just for starters. Like the Admiral said, you probably should prepare yourself that it might be a good long while before Gunny Gibbs is available to solve any more crimes.” He smiled ruthlessly.

Tom nodded. He really couldn’t blame JAG or Commandant May for wanting their pound of flesh – especially since his hands were effectively tied when you took into account the amount of carnage Gibbs had caused, acting, without considering all the consequences. Maybe this might make him think twice the next time he was too impatient to let the members of his team do their job and decided it was a good idea to go off half-cocked. He thought as a Marine he would have learnt to look before he leapt, but obviously not!

He’d probably appoint Chris Pacci as temporary lead of the MCRT til Gibbs was out of the
doghouse with the Marines. Although Tony had acted as the lead on various investigations before when Gibbs had been unavailable, that was when Blackadder and Dobbs had been on the team.

He'd successfully handled the conclusion of the murder of the JAG officer, Lieutenant Singer in Gibbs absence and then investigated the murder of Major Kerry, the regular football carrier solo just last week. Now with the brand new probie, Caitlyn Todd to assist him, her inexperience and lack of investigative skills would be more of a hindrance than a help. Plus she struck him as an individual who’d have trouble taking orders from someone as youthful as the former cop, so it wouldn’t be fair to expect him to cope with only Agent Todd on the team.

While Gibbs and DiNozzo had worked as a two man team, they were also both experienced investigators, which made the comparison one of apples and oranges. Therefore bringing in another experienced agent seem a prudent thing to do and Chris was the obvious choice. Especially since Commandant May had hinted it might be some time before they got Gibbs back.

Chris had been working cold cases recently but cold cases by their very definition could wait. Pacci certainly didn’t have Gibbs’ flair, charisma or his gut but he was a steady performer, a team player who’d do a great job. Jethro could certainly take a leaf out of his book, plus he’d take good care of DiNozzo and Todd too. Tom wouldn’t have to worry about Tony getting thrown out of a moving vehicle or breaking his neck because he was tossed out of a plane at night, while Chris was his acting supervisor.

He also resolved to have an intimate little chat with DiNozzo to give him a heads up on what was about to happen. He would also order the young agent to immediately report to him the next time Gibbs got some dumb-ass scheme that threatened him or any other team members’ safety. They were a small agency and he could ill afford to lose an agent of DiNozzo’s calibre because of Gibbs bloody-mindedness. Maybe it was a good time to have another talk to SECNAV about giving Gibbs a lot less leeway within the agency. Given his current level of disruption and destruction within the Corps he might just agree.

~o0O0o~

At the same time as Morrow was meeting with Commandant May and the Judge Advocate General:

Gibbs decided to stop by Sergeant Fuentes home since the Marine’s young son, Billy would be home from school by now and he wanted to give him something he’d made for him for his tree house. Since being read the riot act and suspended for two weeks by a pissed off Tom Morrow, he’d had time on his hands and it hadn’t taken more than a couple of days to knock up a sign for the poor kid’s tree house. He pictured Billy’s face when he saw it.

Maybe he should have gone over earlier and installed it so Billy would get a surprise when he came home. Well it was too late now. He figured the kid could do with having some attention from a male role model and he vowed to keep an eye on the little kid. To lose your father when he was off deployed, serving his country was one thing. Tragic to be sure, but at least it was an honourable death. To have him murdered on US soil by a drug dealer who was also one of his own men was unpardonable and a terrible, terrible waste.

Gibbs climbed the stairs of the gracious old home and knocked. Rosemarie Fuentes opened the door and her sad expression shifted to one that looked a helluva lot like anger when she saw him. But obviously that couldn’t be right!

“Special Agent Gibbs, what can I do for you?” She asked politely although her tone was far from welcoming. Actually it was positively arctic. Curious!
“I just stopped by to see Billy for a few minutes, Mrs Fuentes. I have something for him.” He smiled his infamous half grin that usually had women who he hadn’t divorced, swooning as their oestrogen levels spiked and ready to let him get away with murder. Jethro was willing to cut her some slack since he knew how just hard it was to bury a spouse, after all. Perhaps she was having a bad day.

“I’m sorry but I don’t think that’s such a good idea. I appreciate you finishing off the tree house for him but I think it’s better if you don’t call round again.”

She went to close the door when Gibbs stopped her, flabbergasted by her cold response. She’d been so grateful when he told her that he’d nailed her husband’s killer. Why the change?

“I don’t understand, Mrs Fuentes. As I told, you we got the man that murdered your husband. He’s going to be damned sorry for taking Sergeant Fuentes from you and Billy and I know it doesn’t make up for his death but he will be paying dearly for what he did.”

“And so are a lot of other people.” Rosemarie snapped at him.

“Excuse me? I don’t understand.”

“I thought you were a real Marine, like Larry. But he wouldn’t have wanted so many of his fellow Marines to get into trouble just so you could obtain a confession and one that was coerced, at that. I’ve been told that Dafelmair’s counsel will fight to get your admission thrown out, arguing entrapment and or it was obtained by strong-arming tactics.

“Even if it’s not successful, a lot of damn fine Marines were sacrificed to get a somewhat dubious admission of guilt. Mary Brinkman said the men are all facing charges of reckless endangerment and conduct unbecoming. Not to mention Captain Faul and the jumpmaster are facing even more serious charges. Larry believed in Sempre Fi and he’d be devastated to know that his death caused the obliteration of his squadron, simply to obtain a questionable confession.”

Gibbs scowled. “I did what I had to do to catch the son of a bitch. I made a promise to you and Billy to find your husband’s killer and now he won’t hurt anyone else,” he insisted.

“Yes and I’m grateful really, but I also understand that you had conclusive evidence that included DNA results that would have been enough to charge him without inflicting the human carnage you caused by not being prepared to wait a few more hours. Because of your grandstanding, a lot of good men have been adversely affected and so have their families. Knowing my husband, I’m sure Larry would say the cost of that damned confession was much too high, Special Agent.”

Gibbs had heard the same diatribe from Morrow but it wasn’t his fault if the Marines' reacted badly and pushed DiNozzo out of the plane. He figured it was worth it to nail Dafelmair and he wasn’t gonna apologise for doing his job. But he was disappointed that Fuentes widow felt that way.

“Fine, I won’t call round again but if you could just give this to Billy?” He asked her, holding out the sign he’d made proclaimed it was ‘Billy’s Treehouse.’

Before the sergeant’s widow could respond to Gibb’s request, Billy Fuentes sidled round the door. It was evident he’d been listening to the conversation though. His expression was no longer one of hero-worshipping, it was quite hostile and Gibbs recoiled, shocked since he thought he had made a real connection with the boy.

“Hey Bud, I made this for ya.” He said holding out the sign to the fatherless child.

“I don’t want it, Special Agent Gibbs. My friend Janie Faul says because you broke the rules and a man on your team got hurt, her dad might have to leave the Marines or they might even lock him up.
She’s probably gonna hafta move away and I won’t get to see her anymore.” His dark soulful eyes glared accusingly at the NCIS agent.

“I thought you said you were a Marine – like my father. He said Marines always have peoples’ six but a whole lot of my friend’s fathers are in big trouble because you weren’t watching your team mate’s six and you broke the rules. Janie says he fell out of the plane and he got hurt cause he wasn’t supposed to be there. He could have got killed. I don’t think you’re a real Marine at all; you’re just a big fat liar!”

Billy gulped and his eyes suddenly filled with tears before he took off and went running around the side of the house to get away.

Taking in Gibbs shocked expression Rosemarie heaved a sigh. “His friends at school are facing an uncertain future as their fathers wait for courts martial or to find out if they’ll be charged. The base is a pretty insular place and the wives are all doing it tough too. Plus losing his father; Billy’s not getting much support from the other kids who are all too stressed about their own fathers and worrying about if they’ll be moving out of their base housing. Frankly the whole base is in turmoil.”

Gibbs left the sign he’d made in case Billy changed his mind later on. As he drove off he couldn’t get Billy’s words out of his head. “…you weren’t watching your team mate’s six and you broke the rules. Janie says he fell out of the plane and he got hurt cause he wasn’t supposed to be there. He could have got killed. I don’t think you’re a real Marine at all; you’re just a big fat liar!

Somehow, even though other people had said the same thing to him on numerous occasions, hearing it again through the lips of an innocent and fatherless child had had a hell of a lot more impact to shock him to his bootstraps and have him second guess his actions. Out of the mouths of babes!

End Notes:
*We don’t actually find out who is the jumpmaster during the episode.
Tom Morrow was wandering around his domain, checking to see that everything was running smoothly. He usually started at the bottom and worked his way up to the top, ending up in MTAC so he could touch base with everyone working in the building. Then he'd return to his office and write up his impressions, noting concerns or anything that needed addressing before he forgot. He tried to do the rounds once a week if he could manage it – it was good for staff morale and it made him seem less remote, more approachable. Tom knew that setting one's self up in an ivory tower ultimately led to a leader becoming too isolated, often missing out on seeing problems arising before they turned into crises. Of course, it wasn't always possible to do his weekly rounds, but he looked forward to it and considered it to be an important part of the week. It was no mean feat keeping so many people working well together in such a high pressure environment.

As he made his way around the bullpen, he noticed Tony DiNozzo sitting rather stiffly at his desk, the tension seemed to be radiating off the young agent. No doubt, Dr. Scuito would claim his aura was in disarray and need stroking, whatever the hell that meant. But from his perspective, this looked like a problem so naturally he was keen to tackle it before it turned into a disaster. He got along well with the young agent, not least of all because he did a fine job of keeping Jethro in check – no easy task as Tom knew and yet the former cop made it look easy.
Of course, Morrow knew that this was an illusion; there was nothing easy about being Gibbs' SFA, just as there was nothing easy about being Jethro's boss either. The man frequently drove him to drink. Parking his ass on the corner of the senior field agent's desk, he greeted him with a friendly hello. Tom kept a close eye on all his up and coming agents, but Tony fell into a special category.

First and foremost, he'd managed to work solo for a year with Gibbs, whose temper tantrums were legendary, which made DiNozzo worth his weight in gold. And second, the agent, although having legitimate reasons, did have a pattern of not staying in a job for long. He tended to stay a maximum of 24 months before handing in his resignation and moving on. Gibbs had assured him that it was boredom that made Tony antsy, although there had been extenuating circumstances in his departure from Philly PD. Then in Baltimore, Gibbs had recruited him, even though Tom felt there was more to his hasty resignation than being headhunted by the former Marine.

But they were coming up to the two-year anniversary of his being employed at NCIS and Director Morrow really didn't want to lose him from the team or the agency. The trouble was though, that there had been the incident where he'd been flung out of a mortuary van in a body bag while impersonating a cadaver. That had resulted in a lot of abrasions and bruising, all because of Gibbs' rashness and lack of care, just a few weeks ago. Then the very next case after that, Gibbs had been too damned impatient to wait a paltry 24 hours for a DNA test and so he'd decided it was a good idea to drag DiNozzo on a night training parachute jump with the Marines. All to trap a killer they would have got the goods on next day with forensic testing. The Marines went ballistic to learn Corporal Dafelmair was the real killer and in the melee DiNozzo was accidentally tossed out of the plane. The fact was he'd only received a few illicit minutes of parachute instruction prior to that as preparation, certainly not enough to jump, let alone to be jumping at night. He was damned lucky he only tore some ligaments in his knee and sprained his ankle. And then there was the matter of Gibbs deciding on the spur of the moment to hire a new female agent from outside the agency to join the team. A situation which would definitely impact dramatically on the team dynamic.

SecNav had been on Tom's back for ages, wanting him to expand the MCRT and, since Blackadder's departure, he'd tried desperately to get Gibbs to agree to take on Chris Pacci's old probie, Cassie Yates, but he resisted – possibly due to his bloody-mindedness. Gibbs had been given carte blanche to hire who he wanted and after investigating the assassination attempt on the President, he'd hired the former Secret Service agent who was forced to resign due to sexual misconduct.

She had no investigative training and the only thing Morrow could see she had going for her was that, according to Jethro, she had balls. Which concerned him for several reasons. 1. Because Gibbs had balls enough to spare for the whole damned agency and he didn't think it was fair for DiNozzo to have to deal with two ball breakers and still work cases. 2. That the MCRT was the crème de la crème of the agency's investigative teams – earning a place was supposed to be reserved for the very best investigators the agency had. A reward for excellence if you will, not because the size of one's anatomy.

Tony had created quite the controversy when Gibbs hired him from outside the agency, but people eventually recognised, despite their bitching, that he was an exceptionally talented investigator and highly skilled in undercover work. As much as they envied him his spot on the MCRT, they also knew he deserved to be there. Todd, however, was trained in conducting protection details and, while it was an important job and he had no wish to denigrate the professionals who did it, it certainly in no way qualified her to become an investigator on the top team in the agency.

Her hiring was going to create a good deal of resentment amongst the other agents and, he had to say, he could see their point. He didn't deny that perhaps in years to come, Todd would grow into a
fine investigator and earn her spot. The point being she didn't earn it now – Gibbs gave it to her because he was able to bypass much of the regular agent selection process. Tom did not see that this as a positive occurrence.

Of course, Tom's very immediate concern was how she would affect the dynamics of the team. He hoped she would take the opportunity she'd been offered, display humility, and make the most of the chance that many an NCIS agent would kill for. After all, there weren't many agents in her position who'd screwed the pooch so badly and then got handed a plum job with such piss poor qualifications. He normally required more than balls for an agent to secure a field position, let alone work on the major case response team. Sighing, he hoped he was wrong about how this latest acquisition was going to pan out.

Showing none of these concerns, he smiled at DiNozzo, inquiring, "So, how are things going with your new teammate, DiNozzo? No major problems so far?"

Tony DiNozzo flinched. Crap, how am I supposed to answer that without sounding like a whiny baby? Second case and she's already making vicious attacks... 'Good guess, DiNozzo'... 'No horse on the boat, Tony'... You'd think a man who can find heroin in a horse's ass could find this'... All said to make me look stupid, especially in front of the DEA agent. When I'd come back from the marina with the clue to finding the terrorists, she commented with much sarcasm... 'that's really smart, Tony,' like it was a shock that I was capable of producing good leads... or when I made an innocent comment about not knowing about the match on the terrorist, she retorted nastily...'who could get a word in?'

Well, excuse me for trying to report what I'd found out about the terrorist and the vehicle they were driving. The intel I discovered did break the case wide open and saved the electricity grid... but my bad!

How am I supposed to mention to Director Morrow without sounding like a complainer how Todd seems to consider me to be worse than dog crap on her shoes. How she takes a work related statement and turns it into a vicious personal attack. Like when Gibbs had accused Fornell of target fixation and Cate didn't know its meaning, so like a good little SFA, I explained to the new team member that it was when a fighter pilot became so fixated on the target that they flew right into it. So then she'd gleefully replied, 'Like you and women.'

What was that about? I mean... what the freakin' hell did I ever do to you, Lady?

And no way, Director, I'm so not going to tell you that on the second case we worked together, Gibbs already told the probie with no investigative experience that she didn't have to follow my orders, only his. Or how she wasted little time in vindictively informing me Gibbs had effectively neutered me. But who will be expected to teach her the mountain of details that Gibbs has no patience for? Tell me that? How am I supposed to supervise her?

Or can anyone explain to me why all of a sudden my partner of two years suddenly seems to find it really funny to make me look stupid whenever we're around Cate. Yet treats me like a colleague worthy of respect when we're interrogating the drug smugglers and she's not around? And while we're at it, maybe someone can explain why Abby has entered the 'let's make Tony feel about two inches tall and dumb as a rock club' by joining in the belittling with the new team of Gibbs and Todd.

I'm starting to think that Gibbs had hired Cate because he was tired of having me on the team. It might be time to think about a getting a transfer... maybe some place warm. Besides Gibbs not wanting me around any longer, I seriously doubt I can deal with Cate's personal attacks on me all the time. It like a female version of my father. She's made it plain that she considered me a sexist pig, flat
out accused me of sexual harassment over an accidental touching in the truck on the way to a case. Please, sharp tongued shrews are so not my idea of either a fun time or relationship material. Plus, on her first case she asked me how I got this job and her implication was pretty obvious. It's clear she has minimal respect for me as a person, let alone an agent, and I wonder for the nth time just what I'd done to upset her so badly.

Finally, realising that he'd zoned out and Director Morrow was waiting, he babbled. "Oh well... you know... just peachy, Couldn't be better. Just super duper – one big 'ol happy family – that's Team Gibbs, Sir. Swept in and took control over the forged Benjamins on her second case. Better watch out, Director, she'll have your job before we know it," he joked with just a touch of cynicism, but you had to know him really well to pick up on the sarcasm.

Tony was a master of masking his emotion or perhaps, Tom reflected, displaying a more socially acceptable emotional response than what he was feeling. His default mechanism was always to joke when he was hurt physically, feeling angry, sad, or threatened because he wasn't willing to show anyone his vulnerable side. What had Tom was worried now was why he felt that he needed humour to mask his emotions over such a simple question. A team was supposed to be able to trust one another. What the hell was going on?

Tom frowned. Oh, yes, the reply seemed innocuous enough, but Tony had flinched before drifting off and was clearly thinking about things he wasn't willing to share. Last but not least, Tony wasn't usually prone to bitter sarcasm even if it was buried, deep down under the DiNozzo wit, mostly since he forgave everyone too easily. Tom's gut was churning.

Deciding to relieve the tension a bit, he offered up a tid-bit to the tense agent. "Just between the two of us, Agent DiNozzo, I think my job is safe enough for the time being. You see, Secret Service agents specialise in either protection duties or investigating financial crime including counterfeiting of US currency and US treasury securities, but not both. Agent Todd would no more know about financial counterfeit investigating than you would've known about art fraud just because you worked in the police department and it had an art fraud task force. I suspect she's just trying to impress everyone since she's new."

"Yes, I know, Director."

"You know?"

"Yes, Sir. I met a couple of agents who used to work in the Secret Service, in the Financial Crimes branch at a law enforcement seminar. We compared our training experiences over a few beers at the meet-and-greet."

"So, you knew Agent Todd was, er, showboating, when she was holding forth on the Treasury anti-counterfeiting micro-printing process of the fake Benjamins?"

Showboating? B.S. is what I'd call it. "Yeah, I did. She's simply not old enough to have worked in both branches of the service and also made it all the way to the top in the Presidential Protection team." Guess that's why she wanted to make me look like an idiot in front of Agent Fuller since she was effectively talking through her hat with intel about micro-printing and security measures. She more than likely got the info from elevator chatter on the job.

"So, why didn't you call her on it?"

"She's a teammate. Rule 1 – never screw over your partner, Director."

"You're a good man, Tony. Hang in there... there's bound to be some teething problems with a new
Tony's megawatt grin was so blinding it was painful, and Tom figured it was about as genuine as a used car salesman telling a mark that the car was only driven once a week to church by a little old lady. Sighing, the NCIS director rose and patted him on the back as he made his way round the rest of the bullpen, noting the absence of Gibbs and Todd.

He was somewhat comforted by Chris Pacci's sotto voce comment, "I'll keep an eye on him, Sir."

Chris was a good man. Good agent too, not flashy or arrogant, but solid as they come. On paper, Jethro might be a far superior investigator, but his style and arrogance caused as many issues for the director and the agency as his investigative skills solved. Tom would gladly take one Pacci over a half a dozen Gibbs, any day of the week. Apart from looking out for his fellow agents because it was in his nature, Pacci had also done the background security check on Tony, so he knew more about the intensely private young man than anyone at NCIS, other than himself and Gibbs. He was obviously concerned too, fuelling the director's qualms.

He cast an inquiring look at the veteran agent and Chris offered his observations. "Seems to have him pegged as a skirt-chasing sexist with not a whole lot of intelligence. Wanted to know how he got hired."

"What did Tony tell her?"

"Said he smiled." Chris laughed.

Tom frowned. He knew where the self-deprecation was coming from, but what annoyed him was that Todd had to resign before she was terminated for fraternization offences. Not to mention letting a terrorist get past security screening, included her own profiling, and almost killing the POTUS, and she had the gall to insinuate his undercover specialist didn't belong on the MCRT.

Pacci wasn't done though. "Been bombarding him with some pretty vicious verbal attacks and, unfortunately, Gibbs seems to be playing up to her and tag teaming him as well with his delightfully barbed retorts. If I didn't know better, I'd say he was flirting with her."

"Course, the fact he told her that she didn't have to follow Tony's orders, only his own didn't do anything to bolster Tony's authority either. I don't know what he's thinking. He never undermined him with Blackadder and Dobbs or the other TADS that passed through."

Tom smirked at the moue of distaste that crossed Pacci's round somewhat homely features. Clapping him gratefully on the shoulder, he replied, "Thanks Chris. Look out for him, I don't want to lose him to one of the other alphabets."

As he made his way up to MTAC, Tom realised that his fears were well founded. Gibbs and DiNozzo balanced each other nicely – ball breaker and a people reader, but add another ball breaker to the mix and that balance went into the crapper. A team worked best with a mix of personalities to complement each other.

He hoped that Gibbs wised up about abusing Tony before he decided that with his skills and talent, he didn't need to put up with that sort of bullshit.

Reaching his office and gaining his desk, Tom made notes as was his wont after his weekly roam-around. There was the usually grumbling about people not washing up their coffee mugs or leaving the milk out of the fridge. Speaking of – he decided it was time to drag out his can the staff please clean up after yourselves memo –again. There had been an issue between two of the janitorial staff
about stealing a Walkman and Tom had referred that to security to review CCTV, hopefully settling the accusation.

Then there was the issue with the MCRT, especially Gibbs telling Probationary Agent Todd that she wasn't required to follow her immediate superior's orders, especially in the field. He sighed! No way could he let that go. Chain of command was critical in law enforcement and people could get hurt or killed if it was ignored. So looking at his daily diary he made time to deal with this before it came back to bite them all on the ass.

The director really hoped it wasn't a portent of things to come. Sighing as he stared at the entry he'd made to address the breech of protocol. He was going to have to:

1. Censure Gibbs for not instilling CoC into his probationary agent and inciting insubordination.
2. Apprise Probationary Agent Todd that she was required to follow the chain of command like any other agent, regardless of her previous job.

Rubbing his bald pate ruefully, he wondered if he was director of an agency sans Leroy Jethro Gibbs, would he still have a luxurious head of hair. Probably not but a guy – even a director could dream.

The End

End Notes:

As I analysed this episode for the series, I found that in Cate's second case with the team, she bawled out Gibbs and DiNozzo for sexism because they expected her to ride back with the boat to ensure that chain of custody was maintained. Plus she made sarcastic digs at Tony, tried to belittle him in front of Fuller (DEA) and Fornel (FBI), two feds from other agencies. All up she was insulting to him 12 times. In comparison, Tony made two mildly suggestive comments (about what aroused her with the money) and two comments that possibly could be construed as chauvinistic if you squinted hard enough but were not directed at her unlike most of her comments that were directed at him. To me that isn't 'the banter' which people often describe the Cate and Tony years as being. Such an imbalance in their interactions hardly seems like banter, rather it screams abusiveness to me - not to mention insubordination. Fact is that Todd was brand new to the job, was also damned lucky to get hired by Gibbs because it is unlikely she would have been hired by anyone else after her impropriety and resignation. Not to mention she was a complete novice when it came to investigations and before anyone protests that she was a profiler, she absolutely sucked as a profiler. So I find it unbelievable that she wouldn't show a little humility and gratitude for being given a second chance, rather than acting arrogant and insubordinate. Certainly not how I would act in a brand new job, even if I hadn't screwed the pooch on my old one.
When SSA Leroy Jethro Gibbs delivered the final report of the Investigation into the death of Seaman Russell McDonald and his attempt to take out the Captain of the USS Foster, Tom was patiently waiting to ambush him and discuss the case. He'd already read the report, Gibbs' very efficient SFA had emailed him a copy earlier, but the director was old school. He liked to have a hard copy of the report in his hands. More importantly, the act of the case file being delivered often gave him the opportunity to have a discussion about the case with the team lead. It was also much less formal avenue than calling a case conference and still kept him abreast of everything, including giving him the chance to make observations and suggestions about ways to improve performance. As Gibbs delivered the report, Tom gestured to the coffee pot.

"Grab one for both of us and let's talk."

Gibbs grunted and Tom detected approval and well… less than approval all rolled into one. He had a pretty good idea Gibbs happiness was centred on his invitation to share the director's coffee pot rather than a chance to chew the fat with the boss.

"This was a close one, Jethro. Too close. I want to look at ways to make sure this doesn't happen again if that's possible."

Gibbs nodded ruefully as he handed over the director's mug of coffee. "Tell me about it Tom. I was closest to the bomb blast. We nearly didn't make it."

"Yes it was a miracle that you all made it out in one piece. So let's try to make sure if there is a next time that we find the bomb before it actually explodes. SecNav is screaming blue murder about the repair bill."

Gibbs smirked. "You have any thoughts on how to do that Director?"

Morrow leaned forward. "Well there is always room for improvement, as I'm sure you'll agree. I have some concerns about Probationary Agent Caitlyn Todd's performance during the case that I would like to address, Jethro. It concerns me that she's a profiler but seemed to have made up her mind from the get-go that Seaman McDonald did not commit suicide, based on nothing more than an interview with the seaman's grieving mother.

"Now as you and I both know, no mother wants to admit that her child might have killed themselves. But Mrs McDonald is a widow and Seaman McDonald was her only child, plus she was a devout Catholic who considers suicide to be a mortal sin. All reasons to feel great empathy for the woman but also excellent reasons to take her opinion on her son's mental state with grain of salt. As it was
proved to be the case later on, she had absolutely no idea that he was delusional and psychotic." He pursed his lips as he considered what he wanted to say.

"She thought that he had many friends on the ship because he obviously lied to her when in fact he was pretty much a loner, which in itself should have tipped Agent Todd off that the poor woman didn't have a clue about her son. Even now, when presented with unequivocal evidence that he was responsible for his own death, by reason of diminished responsibility, the poor deluded woman continues to deny it."

Gibbs rolled his eyes. "Yes I'm aware that Agent Todd identified strongly with the mother but I believe the real reason she was convinced it wasn't suicide was because being a practising catholic herself, she considers it to be a mortal sin. She assumed Seaman McDonald would feel the same about suicide, too. But she is a probie, Tom and I've already pointed out the flaws in her thinking to her already."

"Yes noted, Gibbs but that was not the only thing that concerned me. It merely speaks to her personal bias that then created a larger problem. This is the issue that I want to fix. Todd was a profiler at the Secret Service, yet she made a rookie mistake here, identifying with the victim's family because of shared religious values and it closed her off to the possibility that he wasn't a blameless victim. She was so motivated to prove he didn't kill himself, I'm concerned she may have ignored vital evidence that possibly could have allowed us to find the bomb earlier. And before you tell me she's a rookie, let me remind you that you wanted her on the team because of her profiling skills and experience."

Gibbs didn't like having to justify his decisions but the director had a point. "Yes, that's true, Tom. But she was profiling terrorists which is different to dealing with victims of crime and their families. I think we need to cut her some slack."

"Oh I agree, Jethro. I think that until Todd has more experience as an investigator and is a much more seasoned NCIS agent that we do not expect her to work as a profiler. I want any profiling work that she does to be closely monitored by an experienced profiler or at the very least, supervised by a seasoned investigator. I want her assumptions checked and then double checked and I don't want her analysis of intel to be the one that everyone depends on. There should always be parallel processing of the data, every step of the case."

Gibbs looked like he was going to argue so Tom got in first. "Look, Gibbs. Since when do you allow a probationary agent to make critical decisions about an investigation? It's my understanding that Dr Scuito was working on the Weylin Manifesto when she made a remark to Probationary Agent Todd about how much data there was to analyse and Todd immediately offered to do it instead. Did she run it by you and get your permission?" Tom, like any good interrogator never asked a question he didn't already know the answer to.

"No." He nodded at the confirmation.

"Dr Scuito is not a field agent but she is highly experienced in forensics. She's trained at spotting anomalies in data and evidence based on an empirical model, where assumptions must be tested and suspected until proven sufficiently to be accepted. Her scientific scepticism could have been crucial in processing the data we'd uncovered. The evidence was there to shed light on the reasons why a seaman was found drowned, wearing dress whites and an officer's ceremonial sword, not there to be used to prove that Seaman McDonald's mortal soul was still intact."

He looked at Gibbs seriously, wanting to impress upon the hot headed agent how serious this situation was being viewed – and not just by himself but a lot of military types further up the chain of command.
"If DiNozzo had taken that decision upon himself without at least checking with you first, you would have knocked his head into the next galaxy and torn him a new one. Todd may have had the authority to call the shots in her last job but here she is a rookie with neither the experience nor the rank to do so. Frankly, I am amazed you let her get away with it since this is not the first time she has overstepped the mark."

Gibbs looked puzzled and a bit pissed off.

"Her second case, she demanded to see the counterfeit money. Probies don't demand anything Gibbs, they follow orders. She is too full of herself and doesn't seem to realise that she is damnable lucky that we hired her, what with her lack of qualifications and her professional indiscretion with Major Kerry, which was hardly a minor infraction, let's be honest."

"Yeah, maybe… but she had experience with counterfeiting at the Secret Service." Gibbs extemporised. "It would have been like me as a probie NIS agent coming across a case with a sniper. It would be stupid of Franks not to take advantage of that expertise – Rule 5, Tom."

"Wrong analogy, Gibbs. Try you as a probie coming across a crime in the Marine Corps Supply department. Todd has not had training in Financial Fraud investigation. The two branches of the Secret Service are quite separate from each other – one is aligned with the Treasury and the other with Homeland Security. Just as the Secret Service fraud investigators would be totally unqualified to work on a protection team, she did not have expertise in investigating financial fraud.

"Your probie was bullshitting you, Gibbs. My guess is she was trying to impress you - which isn't necessarily a bad thing in a probie per say, but the point is, that she seems to have no awareness for the chain of command. She was acting like she was still in charge of the President's protection team. Make it clear that she needs to run all of her actions by yourself and in your absence then Tony as the senior field agent will supervise her work. Remind her she IS a probie."

Tom steepled his fingers together and stared at his coffee contemplatively. "There's no way to know whether her religious bias on suicide may have affected her ability to analyse the data in that manifesto." He waved away any objective that Gibbs might be about to launch and continued placidly. "Just as we'll never know if Dr Scuito or an experience investigator such as yourself or DiNozzo might have made the connections about the attack on the Captain by Weylin any sooner. No way at all, but we do know about attribution bias and that is why a team works more effectively to analyse and review data, so that individual biases are reduced as much as humanly possible."

Gibbs wasn't happy but he recognised that the director had people on his back about the near miss on the USS Foster. He hated it when the bureaucrats stuck their bibs in where it didn't concern them.

"Okay, here's what I want to happen in the future." Morrow stated baldly. "At least while Todd is on probationary status, her profiling work must be closely monitored and supervised. I'd suggest that Tony could supervise her profiling since I see he's had some profile training at Quantico, but I doubt if that will work. Your probie has made it clear she doesn't respect him. Good profiling that, by the way – I can see why she caught your eye. So I guess that leaves you to monitor her profiling activities and perhaps we can arrange for her to do some on the job training with the BAU. Fornell could probably arrange it."

Gibbs wasn't happy with what he viewed as Morrow interfering in his team. But he reluctantly conceded that Caitlyn Todd had a tendency to argue with him when he gave her orders. She didn't call him Boss - she obviously felt like she was his equal, which while ballsy, was also clearly deluded. She'd strode in second case, berated him shrilly for leaving her to maintain the chain of evidence when he'd left her to escorted the boat back to the lab in their last case, and accused him and DiNozzo of sexism. If any other probie had complained like that he would have been in their
face so damn fast they wouldn't know what hit them.

Acquiescing grudgingly, he nodded. "Okay, I'll make sure she doesn't make any decisions about investigations without prior approval and when she's profiling, someone else will analyse data independently. Given that profiling isn't an exact science it is probably smart."

"Which is why the BAU has a team of profilers to make sure that individual biases aren't allowed to affect the analysis." Tom observed sagely. "Good. Hopefully we can avoid further situations where we might lay ourselves open to scrutiny and censure.

"This one will draw fire from the critics on the Hill, Jethro. I want to be ready to tell them we have measures in place to improve our investigative processes. Go home, rest. Maybe spend some time in a hot bath. It isn't every day you get blown up and live to tell the tale."

The End
Tag for S1 E05 The Curse

Mummified remains are found in a cargo pod by a deer hunter. They turn out to be a naval lieutenant who was convicted of stealing over a million dollars from the navy.

Series: There's Always Tom Morrow

Title: It Seemed Like a Good Idea at the Time

Episode: The Curse

Characters: Anthony DiNozzo, Tom Morrow, Chris Pacci, Caitlyn Todd, Ducky Mallard, Jethro Gibbs and Richard Wiles

Tony sat at his desk, contemplating his computer screen. Giving himself a mental shake, he printed off his report so he could leave it in Gibbs' inbox when he went home. Although he emailed him a copy, he rather doubted that his boss ever bothered to read his reports on his computer. Gibbs was most definitely old school, more at home with a chisel and stone than any type of technology. As he collected it from the printer and walked over and dropped it onto Gibbs’ desk, he was aware he was engaging in the futile pursuit of going over everything that happened on the case, again and again in his head. Futile since it wouldn't change the past or even the future in all probability, futile since Gibbs once he set a course was unlikely to deviate from it, regardless of what anyone thought. Besides, it was time to call it a day and go home.

The case had started off rather bizarrely. A deer hunter in St Mary's River State Park, Maryland, found a mummified body inside a metal tomb. It had certainly given him a nasty surprise when his curiosity got the better of him and he opened it up. When the MCRT arrived at the crime scene, from Tony's perspective it had kicked off fairly promisingly as he was able to showcase his knowledge of military aircraft and equipment, which in this case he correctly as an aircraft cargo pod. It had been a much needed boost to his self-confidence, which had taken rather a hammering of late.

Ever since Vivian Blackadder's departure and two agents had grown back to three on the Major Case Response Team with the hiring of Caitlyn Todd some weeks ago, everything had changed. Drastically changed, because Gibbs had suddenly begun pitting the probie, Caitlyn Todd, against Tony pretty much from the day he'd hire her. And what was worse, as far as Tony was concerned, joining her in the petty personal attacks and ridicule.

Although he had to say, there was nothing petty about Gibbs' barbs. He also knew Tony well enough to always go straight for his jugular, while Cate just pegged him as a misogynistic jerk. Her attacks were hurtful and frustrating but Gibbs' managed to cut him to the quick because Tony really cared about his opinion. His boss knew exactly where to hit him for maximum impact since Tony had, probably ill-advisedly, let him see his vulnerabilities, which included Wendy, his ex-partner Danny and his issues caused by parental neglect and abandonment. All topics that he assiduously avoided sharing with anyone, since he found it difficult to trust people. So Gibbs mind games left him feeling really messed up and second guessing himself all the time.
It felt really good to be able to impress Gibbs and also show the new probie that just because she was on the Secret Service Presidential Protection Team, did not automatically make her an investigator.

So he'd piped up with, "I know what this is Boss."

"Ah... an external fuel tank," Gibbs deadpanned.

"It's a 314 gallon external fuel tank from an F-14 Tomcat. A few were converted into camera or cargo pods. This one's a cargo pod."

Cate had given him a rare compliment. "I'm impressed."

He'd felt a little thrill of vindication in being able to demonstrate to her that he was competent since his self-esteem had taken such a bludgeoning lately from both Cate and Gibbs, with a side order of Abby thrown in too. It honestly felt intoxicatingly good to get positive feedback for a change, even if it was just a couple of words.

So he let his guard down and replied just a bit smugly, "I didn't become an NCIS agent yesterday, in fact tomorrow will be…" He was about to point out it was his two year anniversary at the agency when Gibbs leapt in, "It will be two years."

Tony felt a little choked up. He thought Gibbs would be too caught up in other stuff, including his mutual admiration society with his new probie and playing mind games with him to remember it. Suppressing his warm and fuzzy emotion ruthlessly as a sign of weakness which was almost akin to fainting or god-forbid - crying - he looked at his boss. The man who until recently, he regarded as a partner - until he'd started screwing with him and making him constantly second-guess himself. Stupidly, he'd let Gibbs know how important his observance of the day was to him.

"That's kind of touching Gibbs, that you remembered the day you hired me," he joked.

And that was all that the team leader needed to glom right onto his vulnerability and quick as a flash, had shot back with, "Yeah... well it seemed like a good idea at the time."

Ouch! Definitely drew major blood, there Boss. But then, that was undeniably the new status quo these days.

Sitting at his desk, Tony reviewed the case of the mummy in the cargo pod they'd just successfully wrapped up. There'd been the gratuitous and painful right hook to his ego by Gibbs, in front of Ducky and the newbie Todd. Yet considering the way the two agents had been cosying-up to each other and making dual attacks on him, it surely shouldn't have been such a blow. Yeah it was humiliating and it did nothing for his status on the team, it also called into question his professional skills and talent - still it was hardly earth-shattering. It had been going on for a while now – so he should be used to it. Right?

Then there was the extremely disturbing fact that Gibbs had slapped him on the head when they'd been with Special Agent Owens on the Eisenhower. He'd done it once, a long while before. It was before Tony had been hired, and he'd made it plain then, that he didn't like, nor would he tolerate it, as it smacked too much of his relationship with his father and his paternalistic disdain. Apart from it being an assault, it was humiliating to have his boss do it to him right in front of a fellow agent he'd only just met, not to mention the crew of the Eisenhower. No doubt he was already a laughingstock aboard the ship, and Owens was probably just waiting to regale everyone back at the Pearl Harbour office, too.

Then there was the competitiveness. Owens was already embarrassed for screwing up the
investigation back in March 1994 when the $1.2 million from the Disbursing Office had disappeared. Especially when Gibbs had so bluntly pointed it out to him, so in a mea-culpa-move, the agent decided to delay his flight back to Pearl Harbour. He'd wanted to help the team catch the real killer and thief, which Tony could understand. He had a few cases from his days as a cop, where it hadn't always been possible to be as thorough as he would have liked and those cases still dogged him in the middle of the night. So he had no issue with the former agent afloat helping them to clean up his mess – it was one of Gibbs rules after all.

He did however take issue with Gibbs setting them both up to compete against each other. Tony wasn't some inexperienced, wet behind the ears investigator, so he absolutely didn't appreciate the mind games. It was bad enough for Gibbs to do it with him and Cate, but to do it with a stranger smacked of an even worse betrayal and a casual cruelty. With his confidence at rock bottom already, much as he despised himself for being manipulated Tony couldn't help trying to prove to himself that he was still worthy of Gibbs' trust.

Which was pretty dumb really, because while he might not have quite as many years on the job as Gibbs, or as a federal agent, the sheer number of cases he'd worked on as a cop, plus the variety of crimes investigated, meant he wasn't some green as grass probie. Heck he'd been more than capable of pulling his weight as Gibbs partner for a year. So as far as he was concerned, Gibbs playing them off against each other was plain disrespectful and more than that, it was also bad leadership.

As a college athlete who'd been captain of a number of different teams, Tony was an experienced team leader and knew the dangers of playing your team mates off against each other. Sure you might get a short term increase in their initial performance but the conflict and discord which accompanied it was not something a good captain would tolerate or even desire. Competition should be saved for opponents, while loyalty was the gold standard to be striven for by team members and rewarded.

Granted, he supposed you could argue that Owens was an outsider, not a member of the team, so playing him and Tony off against each other wasn't that much of a problem, although he was a team member in the wider sense that they were both NCIS agents. Therefore it could be argued, depending on your point of view that encouraging them to compete was good and/or bad. As far a Tony was concerned, it was bad because it was disloyal to let an outsider know that Gibbs didn't trust or respect Tony. It further affected his rocky relationship with his boss, creating increasing levels of resentment and insecurity in an individual, already prone to bouts of self-doubt.

He supposed in a glass half full sense, it could be seen as good because at least he wasn't from the same office, so Tony wouldn't have to see Owens every day, knowing he knew that Tony didn't have Gibbs confidence, but still people gossip. It was after all, human nature to talk and he was in no doubt at all that Owens would head home and regale everyone back at his own office with tales about Gibbs incompetent SFA. One who required head-slapping by the legendary Marine to do his job effectively and who needed Owens to find the leads on a case for him.

Tony loved his job, but more than that he took pride in it. He was a professional and up until very recently, he'd felt he was good at his job. But, since they'd taken on the probie from the Secret Services, Gibbs was a different person. To be honest, there were many times when he felt like Gibbs treated him as the rookie and Cate as the senior field agent. He really didn't appreciate it because he'd worked damned hard to get where he was and he sure hoped that it wasn't a portent of things to come. What the hell had he done wrong to deserve such disrespect?

All that aside, it also really concerned him that Cate was getting respect as an investigator she was yet to earn, and subsequently, was contemptuous of his experience and abilities. Usually a probie agent or a rookie cop would have to fight tooth and nail for every little scrap of respect, but she had waltzed into the joint and been given instant recognition, which was dangerous. Damned dangerous!
Not only for Cate, but for the team and for the people they were trying to protect. Her training as a Secret Service agent had never prepared her to collect evidence or interview witnesses or suspects and she should be under strict supervision of an experienced investigator as she earned her stripes. Definitely not sent out solo to sink or swim and given the false impression she was on par with an experienced investigative field agent.

Case in point, Gibbs had been sending her out alone on this case to interview the wife of Lieutenant Mark Schilz, a Mary Wiles, and even more worrying, to talk to former Petty Officer Linda Toner, the disbursing clerk who worked with Lieutenant Schilz. In the first interview Cate had totally unsurprisingly, become all bleeding hearts do-gooder over Schilz’ widow, convinced after meeting her for a short period of time that her former husband must be innocent. So it inevitably followed that she was desperate to redeem his reputation so that Wyles could claim his navy pension for Lieutenant Schilz's daughter, Alicia, who was born right before he disappeared. A laudable sentiment to be sure, but keeping an open mind when investigating was absolutely critical to not making mistakes.

You can't just decide that someone is innocent (or guilty for that matter) and then force the facts to fit your perception or belief. That's how mistakes get made. And that's precisely how Lieutenant Schilz ended up labelled as a deserter, was convicted of theft in absentia, and given a dishonourable discharge in the first place.

The second interview Cate had conducted unsupervised was the former Petty Officer Toner, and she turned out to be the killer, or at the very least, she was involved in the killing of Lieutenant Schilz and was an accomplice, and therefore she was extremely dangerous. The point is that in the initial stages of an investigation, it is almost impossible to know if you are interviewing a victim, a witness, someone with a secret to hide or a dangerous criminal.

A probie agent, one with so little experience who'd only been on the job a matter of weeks, should not have been sent out without back-up. That was the job for an experienced agent and even then, regardless of their skill and experience, it still isn't smart to not have backup. Tony also didn't care how much experience she had as a profiler, or that she had hand to hand training to protect the president. It was still no preparation for being an NCIS agent on the premier MCRT.

There was just no way Cate should have be allowed to work without supervision… it was a disaster waiting to happen. Gibbs might have a perfect record as team leader but since Air Force One, there had been numerous occasions when that perfect record was definitely in danger of failing. Which, when you stopped to think about it, was pretty damned ironic. After all, less than six months ago, Gibbs had fired Special Agent Vivian Blackadder for screwing up an Op. and getting Gibbs injured because of her obsession with obtaining revenge for her brother.

There was no way, Gibbs being the consummate professional that he was, would ever tolerate anyone being on the team when they had a vendetta to pursue. Which was why Blackadder had to go – Tony had agreed wholeheartedly with Gibbs on that score, much as he liked Viv. He'd seen far too many cases getting shot to shit because a cop or agent couldn't maintain a professional distance necessary to make sure they didn't lose the case at trial or on appeal.

Luckily Gibbs and he saw eye to eye on that score. Gibbs even had a specific rule on not getting emotionally involved in a case and another about walking away when it was done. Yep, unlike some of the precincts and cops he'd worked with in the past, Tony knew that on the MCRT he'd never have to worry about agents driven by revenge, although Gibbs did seem to take it personally when they worked cases involving children. Still most cops and agents felt that way about kids.

Thinking back about the dramatic change in Gibbs demeanor since April and Viv's departure, he wondered if Gibbs maybe had incurred a brain injury in Tabriz, when he fell backwards off the
ship's ladder to the pilot house where the terrorist Hussan Mohammed was firing an automatic weapon at Gibbs before tossing at live grenade at him. It's highly likely his head made the intimate acquaintance of the ship's deck, rather forcibly he would think, and the boss was certainly been pretty cavalier with the team's safety since then.

He couldn't help wondering - unless things started to change pretty dramatically, how much longer Gibbs would have his much vaunted perfect record of never losing an agent? He hoped he was wrong – especially since he was a potential target if he was right.

Returning to the current case, sure in the end the good guys lived happily ever after, and the evil assistant disbursing officer Erin Toner was charged with the theft of over a million dollars from the Eisenhower. Plus she was facing charges over the death of Lieutenant Mark Schilz, but it could easily have turned out very differently. If she'd felt threatened and got the drop on Cate when she was on her own with her? They got lucky…this time!

Everyone was buzzed – understandably, and Agent Owens had gone back to Pearl Harbour with a spring in his step – also understandable. The only case that was a blight on the former agent afloat's record had now been solved, so why wouldn't he be ecstatic. But now that Tony was back from driving Owens out to the airport and his reports were all but complete, he couldn't help thinking pessimistically. He predicted that after this happily ever after resolution of their case, Cate would be even more gung-ho about charging in without thinking, or perhaps more accurately would think with her heart, not her head. She would continue to champion the downtrodden and those she considered to be the underdogs.

What she failed to understand, as a green as grass newbie to law enforcement, was that he and Gibbs, heck all agents were all committed to serving and protecting the weak, the wronged, the victims. It's just that there was a right and a wrong way to go about helping them – one that would ensure that they received true justice and the cases that went to court got upheld. Today's success wouldn't encourage her to adopt a more moderate and objective stand when investigating their cases. Which meant that sooner or later, someone was going to get hurt if she was permitted such latitude to continue making rookie mistakes.

Perhaps if she was a more cautious type, prepared to ask for help and took directions gracefully it mightn't be an issue but Ms 'I was a Secret Service Agent Protecting the President' wasn't about to accept his help or listen to advice. She was too damned focused on proving to him and everyone else that she was superior to him in all things. And while that was probably fairly natural for rookies to be cocky and think they knew everything, usually their training officers and superiors beat that attitude out of them pretty damned quickly. The hinky thing was that Gibbs, who could cut someone down to size practically in the blink of an eye, was letting her get away with stuff that he'd killed other agents for… well perhaps an slight DiNozzo exaggeration, but only slightly.

Tony wondered if it was maybe that he was he sweet on her, because after all, Gibbs was a ladies man. He'd been divorced three times after all, which was almost as bad as Tony's old man and his dad really couldn't keep it in his pants. Perhaps 'Little Leroy' had grown tired of red heads, although there was the mysterious titian-haired woman in the silver convertible that Gibbs liked to flaunt in their faces. A mid-life crisis - trying to prove to himself and everyone else he was still a babe magnet?

Whatever…Tony was beginning to get a bad feeling about the future – he'd started to feel like this place…this team…these people he'd thought of as home. But now, in a few short weeks he was starting to feel like an interloper – a very unwelcome one at that. Sighing morosely, he glanced around the bull pen. This was not how he wanted to spend the second anniversary of his joining NCIS.
Now that the case had been put to bed he decided that his achievement should be celebrated and he decided to drag everyone off for at least one drink. Last year Gibbs invited him back to his place for a steak and he'd kind of hoped that Gibbs would mark the milestone in some way again. Clearly that wasn't ever going to happen this year, so he'd organise something himself. Want something done, do it yourself, Senior had always said. Which was pretty hypocritical seeing he had a house full of help.

Calling Abbs to see if she wanted to go out and get a drink and some sushi, he could barely hear her over the music.

"Can you turn it down Abbs?"

"I can't Tony. What's up?"

"Why can't you turn it down or off? My brain is bleeding out!"

"Don't be a drama queen! I can't turn it down cuz I'm in a bar."

"Oh, that makes sense. I was wondering…"

"Hang on a minute, Tony. I'll have a rum and coke. Thanks Cate."

"Are you with our Cate? Probie Cate?"

"Well yeah, the Silver Fox too. We bullied him into coming out to celebrate the case that Cate closed. Is there a new case Tony? Do we need to come in because we only just got here…"

Feeling incredibly sad, he shook his head, before interrupting. "No Abbs, there's no case. Thought you might want to catch up. I'll see you on Monday. Have fun."

~o0o~

Director Tom Morrow had been tipped off earlier in the case by his medical examiner and long-time friend that Gibbs chose to mark the occasion by making a joke in front of everyone about Tony's second anniversary. In Ducky's estimation the joke hadn't gone down very well. What a surprise… imagine that! Gibbs really need to hire some new joke writers.

"As brash and devil-may-care as that boy pretends to be to the world at large, I think that it is to hide a rather sensitive and easily hurt psyche." Ducky observed sagely. "Jethro's humour can be a bit like rubbing salt onto a raw bleeding wound. I did try to point that out to him on several occasion, Thomas, but you know Jethro. Stubborn and not willing to concede that he might have all the subtlety of a herd of stampeding rhinoceros."

"Damn it Ducky. If he isn't careful, Tony will decide he's not wanted and head off to the FBI – they've been after him for a while now." Morrow had responded irritably.

"Quite Thomas! Well perhaps you should drop a few soothing words onto troubled waters. Try to head him off at the pass."

Then he'd watched on earlier on as Abby and Cate had bullied Gibbs into going out for drinks to celebrate the case with them. Shocked actually that the practically hermit-like Gibbs had agreed to go, although Morrow was even more disturbed when none of them seemed to realise, or care that one of their team was missing. And that worried Tom, because it confirmed that Tony was being marginalized by the new team dynamic and he knew Ducky was right. DiNozzo wasn't nearly as tough as he pretended to be and his proclivity was for packing up and moving on. The director shuddered to think about how the MCRT would function with just Gibbs and Todd –they'd waste
most of their time comparing the respective size of their testicles.

Scowling at the thought, deciding he'd better pull a rabbit out of the hat – and fast, he descended into the bull pen to talk to Chris Pacci. "Have you seen Tony around?"

"He drove Agent Owens to Dulles to catch his flight. Don't think he's back yet, Director."

"Okay…so can you buzz me when he's back? Today's the two year mark of him starting here. I think in the euphoria of the case getting solved, that's been overlooked," he stated very diplomatically.

Chris looked peeved, so Tom was glad he hadn't gone with blunt.

"So they went off celebrating without him on his two year anniversary? Damn! I've got a report to finish up, but I'll see if I can catch a few people and then take him out for a drink."

Pacci pulled out his phone, calling down to Autopsy to see if Ducky and Gerald had gone home, and found them both still finishing up an autopsy for a chief petty officer who'd been found dead in his bunk by his shipmates. So Chris invited them to come out, along with Bill Jameson and Karen Philips, two of Tony's fellow senior field agents for drinks later.

After DiNozzo's return from the airport, Chris had informed the director of his arrival. Pacci noted the wistful expression when Tony had looked at the empty desks of his team mates upon his arrival, his gaze lingering longest over Gibbs work space. Chris recalled the little boy delight and wonderment when this time last year, Tony had told him how Jethro had cooked cowboy steaks and cracked open a few beers with him. He was exceedingly pleased when the director informed him he was going to speak to Tony, let him know his milestone hadn't been forgotten.

Approximately twenty minutes later, the ding from the elevator announced an arrival on the floor of the squad room and Tony, who'd not long ago hung up the phone from his conversation with Abby, cast a jaundiced eye at Dashing Dave, one of the baby faced young security guards from down at the front desk. His soulful brown eyes and uncanny resemblance to a young Denzel Washington had most of the female staff drooling over him, and earned him the ‘dashing’ moniker. He was smiling broadly as usual and had quite a few pizza boxes balancing in his hands. Stopping in front of Tony's desk, he grinned.

"Delivery for Special Agent DiNozzo." Dave dumped them on the desk, relieved not to have dropped them and turned to go.

"Hang on Dave, I never ordered any pizza." Tony objected. "Someone's punking me."

"No Tony, I ordered them." Director Morrow called to him from the stairs, chuckling at the agent's expression. Descending the last two steps, he crossed over to Tony's desk.

Clearing his throat and speaking loudly enough to be heard by everyone still working in the squad room, he explained. "On the 29th October 2001, Special Agent DiNozzo joined NCIS - which means that you've been working here for two years. Seemed like that was cause for celebration, so I sprung for pizza since it's your favourite food, DiNozzo. Dig in people."

Tony looked even more gobsmacked. "You shout pizza for everyone who makes it to the two year mark, Director."

"Nope. This isn't a reward for being a federal agent for two years, Special Agent DiNozzo. It's for being on Gibbs' team for two years, one year of which was just the two of you. And that definitely rates an award in itself because of the degree of difficulty involved, and the rarity of it happening.
"You're in a very elite club with only Special Agent Burley lasting longer, and he didn't work solo with Jethro either. Job well done, Son. NCIS is lucky to have you." Tom praised him, meaning everything he said.

Overwhelmed that the director had remembered and acknowledged him, it also helped to remove the sting that being left out had inflicted on him. Somewhat abashed by the compliments, he tried defusing the awkward moment by stuffing a slice of pizza into his mouth before Pacci approached him.

"Nice, DiNozzo!" He mock admonished. "Eat up and then we're taking you out for a few drinks to celebrate. I'm thinking that surviving Gibbs, especially solo for a year – that's gotta be equal to at least ten years working with anyone else. Reckon you must be crazy, man!"

Chris tousled his hair playfully. "You do know that if you want a change of pace, I'd be honoured to partner with you, don'tcha?"

As Tony stared at the group that was standing there waiting to take him out for drinks, he felt all warm and fuzzy inside. Looking at his workmates, he felt himself growing pink with embarrassment. Maybe it wasn't such a huge mistake coming here after all. Even if it turned out that he didn't fit into Gibbs new look MCRT, that didn't mean that he couldn't still find a place at NCIS.

Grinning at the director with a cheeky smile, he asked, "You coming too, Director Morrow, so I can shout you a beer to thank you for the pizza?"

The End
Head Games Hijinks

Chapter Summary

Tag to High Seas
Special Agent Afloat, Stan Burley, Gibbs former SFA asks Gibbs to help with a case aboard the Enterprise and Abby and Ducky decide to tease Tony about Stan. Once aboard the ship, Gibbs uses the opportunity to play head games with Stan and Tony so Tom decides to take some preventative measures before Tony decides to leave.

Chapter Notes

I apologise for not posting sooner but I lost one of my dogs very suddenly. Knocked me on my butt!

Having just watched the pilot Ice Queen again today, I really wish they'd retained Vivian Blackadder since the team dynamic was so much healthier and Gibbs was also much more human and interesting. I have to say that Cate was very lucky that he never used the same criteria with her when she messed up as he used with Blackadder.

Series: There's Always Tom Morrow
Title: Head Game Hijinks
Episode: High Seas
Characters: Tom Morrow, Gerald Jackson, Stan Burley, Ducky Mallard and Abby Scuito

Director Tom Morrow decided he deserved to stretch his legs for a bit. After all, he'd spent many hours poring over never ending paperwork and dealing with petty bureaucrats, leaving him feeling out of sorts. So he went looking for Senior Supervisory Agent Chris Pacci to find out how his presentation on 'Career Opportunities in Federal Law Enforcement' to students at Georgetown University had gone over. The various sister agencies each took it in turns to send an agent to make presentations to the various college campuses as part of their recruitment process.

Special Agent DiNozzo was scheduled to be giving the presentation this time round, but then the MCRT had been called to the Enterprise to assist Special Agent Afloat, Stan Burley. They'd launched an urgent investigation to discover how it was possible that a chronic speed addict was able to beat the very stringent piss-tests the Navy routinely and randomly carried out. So Chris Pacci had generously agreed to give the spiel instead, since he worked cold cases and didn't have anything urgent that couldn't be postponed for a few hours.

Tom tried the bull pen first as the most obvious place to look and when that proved unsuccessful, decided that the next most obvious place to find Chris was the break room, since it was lunchtime. He paused outside, reluctant to just go barging in and disturb the hilarity. He could hear giggling that sounded like it belonged to Dr Scuito, plus the dulcet tones of their ME Dr Mallard, whose schooling
at the highly prestigious Eton in Berkshire, England had smoothed out traces of his soft Gaelic burr. Tom thought it was a shame since on the odd occasion when he slipped into his Scottish accent everyone was charmed by it. Be that as it may, Tom couldn't help the temptation to eavesdrop on what they were saying.

"Did you see his face Ducky? Talk about the green eyed monster."

Scuito sounded very amused and a little bit mean.

"Yes my dear, he did seem decidedly out of sorts. I never realised until recently, quite how jealous he was. It seems what with Caitlyn joining our little family, young Anthony has developed quite a nasty case of sibling rivalry."

Tom was surprised at how harsh Donald sounded. Tom had no doubt that DiNozzo could be very annoying at times, but then again, all of the highly idiosyncratic personalities who gravitated to the MCRT could also be equally irritating, annoying and infuriating. Frankly, he expected more acceptance and less judgement, especially from this pair of misfits, even if the others were mocking.

"I thought he was going to have a full on temper tantrum when you gave Cate the cricket ball and raved on about Stan's athletic ability. He's sure acting like a childish brat." Abby chortled.

Wow that was a pretty spiteful and coming from someone who made such a point of the importance of being positive and accepting of everyone.

"Yes well, Anthony is an only child, probably rather spoilt so I think perhaps we're looking at a case of extreme sibling rivalry," Ducky hypothesised, sounding pompous.

Way to go Donald - take such a complex situation and reduce it to a simplistic equation. Let's blame the victim. Who needs empathy or insight?

"But what's really, really cool Ducky, is that my Silver Fox picked up on his insane level of jealousy, so he's joined in too. I was talking to Stan before about the video footage and he says that Gibbs is all over him like a rash. Singing his praises in front of Tony, hugging him, bringing him food. Stan thinks it more than a little creepy, considering how bad Gibbs used to treat him."

At that point Donald's autopsy assistant, Gerald muttering something that sounded suspiciously like 'sadistic bastard' to Tom's ears. Then he obviously stood up – since Tom heard the chair scraping across the floor and left the lunch room. He barrelled right into Morrow who was standing outside and just to the left, so he was out of sight as he listened to their pejorative conversation.

Tom smiled at the rather serious young man who'd assisted in Autopsy for the last couple of years. Thankfully, he'd managed to overlook Donald's somewhat creepy habit of talking to dead bodies, which had chased off several assistants before Gerald. Although the director felt somewhat guilty at being caught snooping on his staff, Gerald seemed to be distracted and didn't seem to notice.

"Hallo Gerald. How's things?"

Ducky's autopsy assistant was a quiet sort and unfailing even tempered, so Tom was surprised by his sour expression. Although his reply was blandly polite, revealing nothing of his feelings, so perhaps Morrow was reading him wrong.

"Just fine, Director Morrow. How are you?"

"Quite well thank-you. I'm looking for Agent Pacci. You haven't seen him around, have you?"
"Saw him leave the building, earlier, Sir." Gerald answered before leaning forward and smiling a little conspiratorially. "Scuttlebutt is that he's seeing one of the guides from the naval museum. He's been disappearing a lot at lunch time when he's not working on a case."

Morrow beamed at him appreciatively. "Thanks for the information, Gerald and especially for the scuttlebutt. Apart from Cynthia, no one ever shares gossip with me anymore." He complained, half seriously. "Most refreshing to be treated as one of the guys for a change."

Retreating back to his office he sat processing the snippets of conversation he'd just heard. Tom was delighted to hear that Pacci had a 'friend'. The agent was a good agent and a caring man and deserved to find some companionship. Regarding the other information, he felt less thrilled. He was actually rather disgusted with the team's behaviour and he, like most everybody at NCIS, tended to lump Scuito and Mallard in with the MCRT, even if they worked with all the teams in DC.

He wasn't that surprised at Abby – she called Tony childish, and wasn't that the pot calling the kettle black with her constant need for caf-pows that the men supplied her with out of their own pockets. Somehow he couldn't see her manipulating Probationary Agent Todd into buying them for her, though. She needed constant reassurance about her brilliance and had all the male agents in the building extremely well trained to be at her beck and call. Even those who were not fans of the Goth tried not to alienate her, especially since Gibbs treated her as a surrogate daughter.

No, it was Donald that most surprised him and Tom was more than a little disappointed too. He'd expected that he'd be too damned smart, not to mention principled to join in the bad natured sniping the team was currently engaged in. Morrow was a realist - it was somewhat expected, inevitable even, that when a new team member joined the team that they were ragged on, their mettle tested. After all, if a newbie couldn't handle a bit of pressure and teasing... alright hazing, then they would never be trusted to watch everyone's' backs in the field.

Yet when Todd joined the agency, the team hazing wasn't directed at her but at DiNozzo, who'd already been on the team for a couple of years. It was the talk of the office that Gibbs wasn't treating Todd like a probie. Well there that one time when he ordered her to escort a boat back to the base and didn't she kick up a stink about it too, clearly considering that maintaining chain of evidence was beneath her. Just quietly, Morrow was shocked that Gibbs didn't tear her a new one for the fuss she'd made and the allegations of sexual discrimination she'd flung about upon her return to the bull pen.

Tony had been a seasoned detective when he'd joined the agency and yet Gibbs and the rest of the field agents had hazed him unmercifully. He'd taken it in good grace, despite having been forced to deal with it before at the various PDs he'd served in. Therefore Tom thought it was a bit hypocritical for Cate to complain about unfair treatment on the basis of her sex yet she clearly expected to receive special treatment because she'd guarded the President.

Still right now his main concern was that Tony might be about to run, thinking that Gibbs hired Todd to take his place. Given the crappy way Gibbs was treating him since her arrival, Tom felt it was a fair enough assumption. Bad enough that he treated him with a lack of respect but to do it in front of Todd was just 'shooting yourself in the foot stupid' in his book. Tony telling Gibbs it was two years since he hired him and the dumbass' rejoinder of 'it seemed like a good idea at the time,' was probably Jethro's warped and sad idea of a joke but it reinforced to a probie with an attitude problem that he didn't respect DiNozzo, nor was he a valued asset.

A clear case of Gibbs' infamous gut failing him if he didn't realise that she considered herself a superior agent to DiNozzo in every respect. And what did that say about her profiling skills too that she underestimated him so badly? Although Tom was pretty sure as a profiler who'd protected the President, she would have been involved in the vetting of the journalist that tried to kill him. Really,
while sexual misconduct was a pretty major screw up and frowned upon, with justification, letting a terrorist posing as a journalist almost succeed in taking a shot at the President on Air Force One was an infinitely more serious entry on her professional resume. One that you'd reasonably expect to automatically preclude her working for any other federal agency. Which… wait, wasn't an issue because Jethro Gibbs had hired her for Tom's top team despite it!

Shrugging he returned to his main worry at the moment. If DiNozzo got fed up with all the extra Gibbs-crap he was enduring and decided to transfer or leave NCIS (as per his modus operandi) they'd be in deep shit. He was pretty sure if it was just Gibbs and Todd working together, Jethro would undergo a fairly rapid change of attitude to his probie. With her lack of investigative skills, the close out rates would plummet and piss Jethro off even more. There'd been a significant increase when DiNozzo joined the team, so it wasn't all Gibbs – it was a partnership between them. Not that you'd know it now, the way Gibbs was carrying on these days – like he was the star and they were mere bit players in his drama series.

Feeling a great deal of anxiety about the future of the team, he reached for the phone and informed MTAC he wanted a video conference call to Agent Afloat Stan Burley aboard the Enterprise organised ASAP. Time to do some damage control.

Fifteen minutes later he was in MTAC as a nervous Stan appeared on screen. The room was eerily empty as he'd cleared out most of the techs and analysts, leaving just one techie who'd worked for him for years and whose discretion he trusted implicitly. Tom thought it best to keep what he had to say to Burley on the down low.

"Good afternoon Special Agent Burley. How is the investigation proceeding?"

"Did you want me to get Special Agent Gibbs to answer your questions about the investigation, Director Morrow?" Stan Burley asked tensely. He wasn't exactly used to shooting the breeze with the Director of the Agency all that often, plus his anxiety had surprisingly ratcheted up to 'pre-leaving Gibbs' levels ever since his old boss and his new team had boarded the Enterprise.

"No Stan, I wanted to talk to you. You ARE the agent afloat. Sit Rep and then I have a small favour to ask of you."

Burley proceeded to explain that they were still not sure what had killed PO Wilkes so unexpectedly, shortly after the MCRT boarded the Enterprise, so Gibbs was treating it as a suspicious death until proved otherwise. They expected to have more information once the autopsy was performed back in DC. Tom knew that the body had barely arrived back at NCIS and he figured that Dr Mallard was probably just beginning to carry out his preliminary examination right about now.

Stan reported that they were still trying to locate the amphetamines and work out how the sailors were avoiding detection, especially since there had been a second incident with another of Wilkes' team mates from the flight deck crew, a Petty Officer Schrewe.

"He'd nearly caused a major incident when an aircraft coming in to landing had to be aborted when he went nuts on the deck." He reported. "It looks like he's also a long term abuser of speed so it was clear that there's some type of corruption afoot and while we have our suspicions we don't have any proof yet about whose responsible, Sir."

After filling him in, Tom smirked. Stan's Sit Reps were nowhere near as terse as Gibbs. Moving on, he broached the favour he wanted to ask the agent afloat.

"You've met Agents DiNozzo and Todd?"
"I have, Sir. I must say I was a bit surprised by Tony. He seems to be far too exuberant and hyperactive to work for Gibbs."

"It was an odd partnership, I'll grant you that, but he worked with Gibbs for two years. In fact for one of those years it was just the two of them on their own and their solve rate went up significantly after he joined us. He's an excellent investigator. Brilliant undercover, too."

"Well that is surprising... no it's shocking, really. The bit about working with the boss solo, I meant, Sir. I worked with Gibbs for five years but I wouldn't have lasted five minutes if it was just him and me. He's too intense and I needed the probies and the TADs to run interference for me, just so I could breathe. DiNozzo has to have nerves of steel to handle Gibbs singlehandedly. Trust me, he's not an easy person to work with!" Stan declared with feeling.

"Yes, I believe you, Stan. Anyway...Tony's a valuable asset, which is why I was hoping that you'd help. I'm concerned that Gibbs is doing an excellent job of running him off... which I don't need to tell you about. I DO NOT want to lose him or want him constantly second guessing himself because of Jethro's mind games." Tom stated emphatically.

"Since Agent Todd joined the team some weeks ago, Gibbs has been treating DiNozzo like he's the probie and let's just say that Probationary Agent Todd wasn't all that impressed with him. Unfortunately, she's been making vicious remarks which isn't helping him to feel that his job is secure. And Gibbs attitude, is dialling up her lack of respect so I think Tony is getting fed up with the both of them and...well I can't say as I blame him."

Tom vacillated for a moment before deciding he might as well spit it all out. He'd hesitated because he knew that Abby and Stan were good friends. "Also I'm afraid Dr Scuito has been joining in on the teasing, although she claims to be his friend. When they were in the bull pen before joining you this morning, I'm afraid Dr Mallard and Abby both were piling it on rather thickly about what a great agent you were and how much everyone missed you.

"Normally Tony would just laugh it off but it's not helping that Cynthia tells me there's a pool going round the office about how long Gibbs plans to keep him on the team as SFA before he dumps him and gives the job to Todd. Gibbs noticed his discomfort too and decided to take advantage of the situation."

"Oh thank the Lord!" Stan exclaimed.

"Excuse me?" Morrow was bemused by Burley's reaction.

The agent afloat chuckled nervously. "Sorry Sir, that didn't exactly come out right. But you don't know how much of a relief it is to hear you say that. Gibbs has been overly friendly to me since he came on board but it's even worse when we're around his team. It's pretty damned creepy Director Morrow, and I wasn't sure if he was trying to make a move on me or if he was buttering me up so I'd come back to his team. Neither option is one I'd welcome, Sir. He's barely been here a few hours and I already remember how bad it was being on his team at the end of five years." He pulled out his handkerchief and wiped his face before continuing to speak

"This makes so much more sense. Messing with other people's heads is what the boss does best but you'd think he'd at least wait til we solved the case, before doing it. That bastard! Chances are, he's enjoying seeing not just DiNozzo squirm but me too. He never did forgive me for transferring out on him!"

Tom gave a sigh of relief that Stan had taken the news so well. "I was hoping you might have a word with DiNozzo, as Gibbs' former senior field agent to his successor. I'm thinking he could do
with a friendly word or two, Stan."

"You're right, Director. It has to be damned disorientating to go from being essentially Gibbs' partner to being ostracized, from what you've told me. Leave it with me, Sir. I'll have a word with him, lay some ground work. At the moment he thinks of me as his competition.

"I think he thought Gibbs wanted me to come back, too since he's been pitting us against each other. I'll follow up later on with some friendly emails. Maybe we can hang out together when we're back in port." He promised and Tom heaved a sigh of relief.

"Thanks Stan. I'm sure he'll appreciate it."

Stan changed the subject. "Have to say I expected more from Ducky – I never thought he'd stoop that low. Abby as much as I love the woman, she's always been a little brat when she doesn't get her own way, so I'm not that surprised. She was pretty pissed at me for six months when I left Gibbs and she wouldn't answer my emails."

Meanwhile in Autopsy:

Ducky was preparing to autopsy Petty Officer Wilkes and couldn't help noticing that something seemed to be up with his assistant. Gerald had been stiff and very proper ever since they'd returned from lunch.

Tapping him on the shoulders so that he removed his ear buds, Ducky regarded him earnestly. "Are you alright, Gerald? Is there something you'd like to talk about? You seem disturbed about something – perhaps I've done something to upset you."

Gerald's soulful brown eyes stared into Ducky's blue ones for quite a few moments. "Disappointed is probably a better description of my feelings, Dr Mallard. I guess I can't figure out why you would take part in such cruel hazing of Tony."

"Come now, Gerald. Tony needs to learn to take it if he dishes it out."

"See here's the thing I don't get. Tony might carry a joke a bit far at times or have a somewhat inappropriate sense of humour, Doctor but he never deliberately sets out to hurt anyone. If he does hurt someone's feelings it isn't his intention – he just seems clueless sometimes. He also doesn't think he's better than anyone else and put on airs because he's a field agent. He's just as friendly with me and the janitors and security guards as he is with other agents. He's always willing to help people." He glared at Ducky.

"And just for the record, he isn't jealous as in some stupid sibling rivalry. He's feeling insecure about his job and his place on the team. So you, Abby and Gibbs riling him up about Stan is only making him feel even more anxious."

I don't understand, my boy. Why would he fear for his job? He's a fine agent."

"Did you know there's an office pool that's started up when Cate joined the team that's betting how long it is before Gibbs gets rid of Tony and makes Agent Todd his SFA?"

"Really Gerald, you should know better than to listen to office gossip." Ducky scolded. "There was a pool when Anthony first started, betting on how long he'd…oh my. Is there also a pool on how long young Caitlyn will last?"

"Nope."
"Why is that?"

"Because Doctor Mallard, people see how insulting she is to him. She'd barely been here five minutes and she was saying she didn't know how he got hired and that he's useless or he's a sexist pig. She constantly impugns him professionally and personally, every chance she gets. And Gibbs never puts her in her place like he would other probies before her.

"She sure as heck doesn't behave like a probie, especially one that was forced to resign from her old job. So the way Gibbs favours her over Tony and the way he humiliates him too in front of her, well people think it won't be long before he's given the boot."

"Did Anthony tell you she was forced to resign?" Ducky asked, clucking reproachfully.

Gerald sighed. "Doctor Mallard, it's like I said earlier. Tony wouldn't intentionally hurt anyone, cuz I think he's been hurt too many times himself. So to answer your question – no he did not. It was Clyde from the evidence garage who spilled the beans. He does the towing of crime scene vehicles back to the lab for processing."

"Let's just say that Agent Todd was not a happy camper about having to ride back to the base with him. He got an earful of her charming personality. According to Clyde she delivered a treatise on 'how misogynistic and patriarchal federal agencies and those in authority are discriminatory to female agents like her. In case you're curious it's because of their deep-seated fear of impotency and inferiority.'"

Ducky tried to repress the grin that wanted to plaster itself across his face. Young Caitlyn really wasn't doing herself any favours by spouting off with her paranoid theories of victimisation and sexual discrimination when the truth is that she should just be grateful she even had a job in law enforcement – a mighty good one.

"Clyde's like Gossip Central, Doctor Mallard," Gerald continued. "With informants in every alphabet agency motor pool. Just because we aren't agents, people like Clyde and I aren't stupid, you know. People talk in front of us all the time, like we're too dumb to notice things that are said or incapable of understanding them, but we know what's what," the normally placid assistant retorted.

"Anyway," Gerald smirked, "He heard about her 'resignation' from one the mechanics at the Secret Service. And Clyde got the distinct impression on the ride back to NCIS when they brought Commander Farrell's runabout in that she felt she was too good to riding back in the tow-truck with him. So he decided a little pay back was in order and mentioned the fraternisation to a few of the renowned gossips down in evidence. So it's pretty much common knowledge around the office now."

Ducky tsked, reprovingly. It was definitely a big a mistake to treat the techs and evidence clerks shabbily. If you made an enemy out of them they could and would make life miserable, as Caitlyn would learn the hard way.

"I see. I do apologise for leaping to conclusions about Anthony." Ducky frowned before returning to the earlier topic. "Still my boy, Caitlyn is a profiler after all, and Anthony can be a little… cavalier about the opposite sex."

"Self-fulfilling prophesy, Dr Mallard. Agent Todd calls him a sexist pig, so he behaves like one. Since when did a profiler make snap judgements about a person? You even said that when there was a discrepancy on the time of death for the President's dead football carrier between your reading and the President's physician, she immediately leapt to the conclusion that you had to be wrong. Without an ounce of forensic knowledge to back up that opinion."
"Yes she was a wee bit hasty, I grant you that."

"And the real Tony isn't sexist – not any more than anyone else. I think you or Gibbs can be pretty sexist in your own way. Pot and kettle doctor! For example, I seem to remember you sexually harassing Special Agent Blackadder on a fairly regularly basis, trying to get her to go out with you, despite her telling you on numerous occasions that she wasn’t interested. And Gibbs - he doesn’t make Agent Todd gas the truck or dumpster dive or any of the other crap stuff that probies are supposed to do, because she’s female or if you believe the scuttlebutt, because he's sweet on her. I don't see her complaining about that being unfair sexist treatment, either. You can't have it both ways, Doctor Mallard."

Ducky shook his head in acknowledgement. Guilty! He had pursued Vivian rather aggressively, even if she was quite young enough to be his daughter which she had pointed out to him. And yes he and Jethro did tend to treat Special Agent Todd with courtesies that her male counterparts wouldn't receive, which might be gallant but it was also sexist. Caitlyn certainly hadn't objected to not having to do the probie work and given how fervent she was about feminism, it was rather duplicitous of her all things considered.

Gerald could see that his arrow had found its mark. "Then on top of all that crap, Tony got to hear what a great guy Stan Burley is cuz you and Abby thought it was funny to rub his nose in it. Ha, ha, ha…what a joke!" Gerald scowled, looking like he couldn't see any humour in it at all.

"I wouldn't blame him at all if he packed up his marbles and went somewhere else where people appreciated him. He's used to starting over. You know, Gibbs told him on his two year anniversary that hiring him seemed like a good idea at the time – the implication being that it isn't anymore. If I got treated like that I'd be out of here so fast your eyes would be spinning," his assistant warned him, very seriously.

Ducky looked chagrined so Gerald decided to go in for the kill. "Stop kicking a wounded dog while he down, Doctor. You're a much better person than that. At least I always thought you were."

~Finis~

End Notes:

Now that Michael Weatherly has announced that this will be his final season I admit to mixed feelings about the news. He's too good an actor and deserved more respect than the crap that the writers have delivered to him for far too long, as they've happily trashed his character. I'm happy for him and wish him well, although I'm sick with trepidation at how they plan to write his exit. Having watched NCIS from before day one, because I loved a number of the characters initially, for too many years I've been hanging in there. Purely because of DiNozzo and the brilliance of the actor who managed to bring so much more depth and complexity to the role than the writers deserved. It seemed as if most of the writers were trying their best to sabotage his character with all the ridiculous ret-conning and then the crap they pulled with making him Ziva's flunkey. My other favourite characters long ago fell by the wayside because the respective actors simply weren't talented enough to to compensate for how the writers have trashed them in recent years (or else killed them off). I grew to despise them or perhaps even worse for the writers, to simply not give a damn about characters I'd been emotionally invested in.

Even my long running admiration for David McCallum's skills as an actor won't be enough to sit through DiNozzo- free episodes, just for his brief appearances. So I guess that means I'll finally be free on Tuesday nights at the end of season 13, which is yet to air here. I just hope they'll give Tony the ending he deserves – a long overdue promotion and a fantastic new job to compensate him for not getting the lead of the MCRT. He had stated back in S8 to E.J. Barrett it was what he wanted.
I really don't want to see him killed off - I'd hate it. But honestly, I'd prefer that awful scenario to the writers wimping out and pandering to a rabid bunch of TIVA’s who have spent the last three years behaving reprehensibly. Sending Tony off into the sunset with Ziva would be such a betrayal of the character and after 13 years of loyalty, Tony DiNozzo and Michael Weatherly deserve more respect than that. I've never been a fan of them killing off the female stars but I really wished that Ziva had been planted six foot under back in season 10. Sending him off with her would be akin to telling everybody that it's fine to physically and emotionally abuse your partner – as long as you're an attractive female and you're doing it to a guy. Somehow if the actress who played Ziva had looked like Kate Fuglei (Delores Bromstead) instead of Cote de Pablo, I doubt very much that anyone would argue it was fine for her to attack Tony when he was injured and threaten him with a loaded gun to his chest and thigh.
Sub Rosa: Off The Cuff

Chapter Summary

Tag to Sub Rosa where an eco-terrorist kills a submariner to assume his ID and gain access to a US submarine.

Chapter Notes

A/N: Thank you everyone for your feedback. Just briefly, I’ve never made a secret of the fact that I’m no fan of many of the team. The truth is that I despise the fact that these characters are supposed to be such amazing agents, after all the writers keep shoving that fact down our throats, although some of them simply don’t live up to all the hype if one analyses their performances objectively. They also frequently ignore the most basic of rules and regs, quite often disobeying laws that realistically would make it impossible to employ them because cases would never be brought to trial. And transgressions, even the biggies on the show are completely ignored, glossed over or made a joke of so I make no apology for emphasizing the potential seriousness they pose or the real consequences for law enforcement professions in not observing laws, protocols and procedures. For me, it is all about respect for real cops and Feds who deserve to be portrayed with much greater accuracy and deference IMHO.

I need to thank the Trippies for their feedback on this episode and Arress for the beta. I also need to give much thanks for all the procedural advice from RCEpups in writing this tag. This is so much better for her knowledge.

See the end of the chapter for more notes

Series: There’s Always Tom Morrow

Title: Off the Cuff

Episode: Sub Rosa

Cast: Abby Sciuto, Caitlyn Todd, Tom Morrow,

“Sub Mariners are pigs,” Caitlyn Todd declared vehemently. “Misogynistic, ignorant pigs. And I thought DiNozzo was a chauvinist. I pity any women who had to serve with any of them, that’s if they were even allowed on board. And don’t even get me started on Gibbs. He needs to attend a sensitivity training seminar – he was just as bad!”
“Gibbs? What did he do, Cate?” Abby demanded heatedly. Usually, she let Cate vent when she was on one of her way too frequent ‘all men are pigs’ rants that usually preceded the blah, blah ‘patriarchal domination and subjugation of female federal agents’ rant Abby mostly tuned out – letting it wash over her. She was, in fact, pondering the scuttlebutt doing the rounds that when Cate returned from the Philadelphia, the probie had been acting all flirty with Tony, apparently wanting to know if he missed her. Which was odd on so many levels.

But when she lumped her Silver Fox in with all the rest of the population sporting XY chromosomes, well, that was going one step too far. She girded her loins, readying herself to spring to his defence since Leroy Jethro Gibbs was nearly perfect in her eyes.

Rolling her eyes, Cate proceeded to explain. “The Philadelphia had to make an emergency blow so I ended up plastered to Gibbs, full frontal body contact as he was backed up against the wall and he grabbed me so I wouldn’t fall. And that was more than enough to set the COB off, he could barely contain his smirk.

“By the time we got off the sub, the whole damned crew was sniggering and leering every time they saw me. Men have the permanent mental age of 12-year-old boys masturbating over girly magazines that objectify and demean women,” Cate declared, making another one of her sweeping generalisations about members of the opposite sex, much to Abby’s irritation, since she rather liked men... a lot!

And not just in a collective sense of 'I like the whole male gender' either. Abby liked a lot of men individually too, liked to like them. Hell, some she even liked to love or make love to…liked it often…liked it a lot!

Rolling her eyes in frustration, the Goth slurped at her Caf-Pow and glanced across at Major Mass Spec, knowing that he was getting ready to spit out results soon. Her baby was somewhat temperamental and she hoped that his feelings weren’t hurt by such unfounded declarations or she might be forced to sabotage her friend’s computer to get even. Apart from which, Abby was impatient to hear the rest of the story so she could decide if Cate needed to die for daring to cast aspersions at her Boss-man. After all, she had the know-how to kill without leaving a trace and for him she was willing to use it.

“But that’s hardly Gibbs’ fault, Cate,” Abby defended her silver haired idol loyally. “It sounds to me like he was being very gallant.”

“Maybe... but I don’t need to be treated like some vapid damsel in distress, Abby,” she responded crossly. “And that wasn’t what I was talking about. When I made a remark about the head rush after the blow, it was his response which was sexist, inappropriate, and juvenile. And undoubtedly, it egged on the COB’s smutty, salacious leering.”
Abby was definitely very interested now. She was no shrinking violet where sex was concerned. In her opinion, a little titillation never did anyone any harm, even in the workplace. Especially in the workplace. “Why? What did he say?” she demanded eagerly.

Looking mortally offended, Cate explained primly. “I said something like ‘wow’ and Gibbs got this ‘oh so pleased with himself’ smirk on his face that wasn’t that far off one of DiNozzo’s insufferable leers. And then he said, ‘that’s what they all tell me.’ And the COB and him thought it was so damned funny,” the new NCIS agent huffed as she recounted the incident.

Abby couldn’t help giggling, partly at the expression on Cate’s face, since she had already discovered that the former Secret Service agent was more than a teeny bit repressed about anything of a sexual nature, even if she’d joined the team because of sexual misconduct. The Goth thought she needed to loosen up and get a sense of humour or she wouldn’t last long as a field agent. Gallows humour was often all that stopped agents eating their gun on some crime scenes, and flirting often relieved tension too. Abby was a master of the flirt.

Besides, the forensic scientist thought profilers had to be more open minded about sexual practices, kinks, and fetishes, but Sister Rosita was more liberal minded about sex than Cate and she was an honest to goodness dyed-in-the-wool nun.

The other source of her amusement was Gibbs’ retort. “C’mon, Cate. You’ve gotta admit that it’s pretty funny!”

No. It’s. Not! He’s a male chauvinist, Abby, and thanks to Leroy Jethro Gibbs, everyone probably thinks that he hired me because we’re sleeping together. I’m sure they think that’s why he insisted I go out on the Philadelphia with him. It’s totally embarrassing and an insult to me as a professional law enforcement agent. I’ve worked damned hard to get where I am in my career,” she fumed, totally failing to see the funny side.

“I’m fed up with all the men around here giving me the cold shoulder, thinking they’re better than me simply because they have two testicles and a penis and I don’t,” she emoted, and Abby started to feel exasperated by her new friend. Sometimes Cate was her own worst enemy! Considering she was still so new and out of her depth at NCIS, she could be a little less outspoken… dare she say a little humble.

Plus, she wasn’t entirely sure Cate didn’t have a set of testicles either. Abby’s kinky imagination couldn’t help wondering if she didn’t do the penetrating when she slept with a guy. (Pity she was so strait-laced, cuz Abby wouldn’t mind watching, or playing too). One thing the forensic Goth was pretty sure about was that her new friend probably wasn’t a fan of man on top.
Abby tried to adopt a sympathetic expression, but she honestly thought that Cate was going to make herself crazy if she didn’t chill out. Seeing Director Morrow standing outside the door, she wondered exactly how much of the probie’s rant he’d been privy to. Her question was answered as he strode in to the lab. He’d mentioned he might pop in to discuss Abby’s latest forensic acquisitions wish-list and it seems he’d heard enough.

~o0O0o~

Realising that he’d been sprung and Abby was aware of his presence, Tom Morrow marched purposefully into Abby Sciuto’s lab.

“Hello, Director Morrow,” Abby greeted the big boss, subtly alerting Cate to his presence.

“Dr Sciuto, Agent Todd,” Tom Morrow acknowledged the two women gravely.

“Sir,” both women responded.

“I’m sorry to hear that you were the butt of scurrilous gossip since it’s hurtful to peoples’ feelings, plus we all know about Gibbs’ Rule #12,” he commiserated.

“Still, as a profiler, I’m sure you understand that it’s a fairly normal reaction, given you didn’t work your way up the ranks of the agency. I’m fairly confident that if someone outside the Secret Service won a place on the team that guards, oh, say the President or the Vice President, they would face the same type of innuendo and suspicion, too, regardless of their gender. It’s human nature to look for explanations to what doesn’t make sense to us – rather like our job as investigators.”

The director gave her a meaningful look. “A place on the Major Case Response Team is a much prized one within NCIS, Agent Todd.”

Abby nodded emphatically, her pigtails bobbing up and down wildly. “Abso-positively. What he said, Cate!”

*Mmm, wonder how many Caf-Pows she’s had today? Tom mused to himself – at least one too many.*
Seeing the irritation still evident on Agent Todd’s features, he decided to bite the bullet and deliver a Gibbs’ type kick up the butt for good measure.

“If I could offer you some friendly advice about your colleagues treating you more professionally?” he enquired of his newest member of the MCRT.

Cate looked surprised but nonetheless she nodded warily.

Tom regarded her for a few moments before he continued. “Well, for a start, cultivating a sense of humour is not just invaluable, it’s indispensable in my experience, if you want to avoid burning out. As is creating a positive impression amongst your peers. Try demonstrating humility and gratefulness when people offer you advice, rather than viewing it as them trying to make you look stupid, or being chauvinists and getting snarky.”

Tom contemplated his newest agent gravely. “Plus, it definitely isn’t a very good idea to very publicly impugn a colleague’s competence and professionalism in order to make a stronger case for your own competency. That’s only going to get peoples’ backs up and make them think you’re insecure about your abilities.”

Abby and Cate gave him a puzzled look, although the ex-Secret Service agent also looked flat out outraged at his insinuation, so he sighed.

“So, you didn’t throw a temper tantrum right outside of the Submarine Squadron Commander’s offices on the Norfolk Naval Base, complaining about how unfair it was that Captain Veitch wouldn’t allow you to board the Philadelphia? And reports you disparaged Agent DiNozzo’s abilities to do the job because you assumed, wrongly, that he was going to go on the sub, not you, were false?” he asked her pointedly.

“Well, no, not exactly false, but I didn’t throw a tantrum - I was simply stating the facts. I’m qualified and he isn’t,” she insisted, defending herself resolutely.

“And you know this how?”

“I’m an experienced profiler, trained by the Secret Service. DiNozzo’s just a cop,” she justified herself defensively.

"Are you sure about that? Doesn’t Gibbs have a rule about making assumptions without checking facts? ** And even if you were correct, it still isn't reason enough to publicly trash a colleague. Nor
accuse a highly placed Naval officer of sexual discrimination right outside his premise where any number of his underlings can hear you doing it.”

Seeing her getting ready to respond, he pre-empted her.

“And before you accuse Agent DiNozzo, let me state for the record it was Captain Veitch’s aide who caught your self-indulgent diatribe and shared it around. He’s the one using it as fodder for scuttlebutt, Agent Todd.”

“Why would his aide do that? It’s not like I’ve ever met him before,” the probie insisted angrily.

“I would have thought a profiler would be able to figure that out but, quite frankly, it was Captain Veitch who had a word in my ear. Luckily, so far it was an unofficial one since he could have made an official complaint. When you decided to let off steam, you made yourself look unprofessional. No one else did that!”

“So, what? Now I’m not permitted to express an opinion?”

Tom looked at his profiler who really did seem completely clueless. Yet she would have been given relevant information by Human Resources during induction after joining NCIS, informing her there were strict protocols which must be observed when conducting investigations with military officers. Especially on base, especially when you were dealing with personnel who weren't potential suspects. Running your mouth off and damaging the standing of Command personnel was taken extremely seriously by TPTB in the Navy and the Corps command structure. Even civilians employed by the Navy or contractors working with the Navy had to adhere to a rigorous standard of conduct in their dealings with its officers and could be brought up on charges if they brought officers reputations into disrepute.

Tom found it difficult to believe that Probationary Agent Todd wasn't aware of these protocols either. After all, the Secret Service also worked hand in glove with the military. Surely, she hadn't gone around accused officers of chauvinism when she'd been on the President's protection team, had she? They would have taken a dim view of such behaviour and Morrow was certain she would have found her career swiftly curtailed.

Apparently, he was going to have to schedule a meeting with her to explain a few hard truths to the probationary agent, especially since Gibbs hadn't bothered leading by example. Unfortunately, while he may get away with crap that didn't mean that a Probationary Agent would be tolerated pulling even a quarter of the stuff he did. She definitely wasn't untouchable, particularly since in this instance, thanks to Gibbs behaviour, Veitch had lost face and she was an easy target.

The harsh reality was that Captain Veitch could have, probably should have, and still might have filed a formal complaint with NCIS for her showing disrespect for an officer, insubordination to both him and DiNozzo, and conduct unbecoming of an agent. At the very least, there was still a breach of etiquette charge hanging over her head as it occurred on base, was witnessed by Naval personnel, and the outburst wasn’t relevant to the case, merely Cate venting her spleen in public over Navy policy. That didn’t even begin to address the actions Captain Veitch could take through his own
military channels, should he choose to.

Ignoring her interruption since he wasn’t about to address this particular situation here, he continued calmly, “Any disrespect you may be getting from the agents in the office? Probably not because of your gender – more than likely it’s your disrespect for one of their own who also happens to be your superior, which also makes is insubordination. You’re lucky he didn’t write you up for it.”

The newest member of the MCRT huffed, highly indignant, “DiNozzo’s not my superior. I was on the President’s protection team and a federal agent for almost a decade. He was a cop who couldn’t stay longer than two years at a bunch of police departments. Probably because he pissed off all the female officers and had to leave.”

Tom shook his head – wow, a chip on her shoulder much? Gibbs said Todd had balls and he was right. No wonder Jethro admired her – two peas in a pod - but the director wasn’t impressed by testicles. After all, he had two of his own and there was a surfeit of testosterone at the agency already. They already had an imbalance of male to female agents at NCIS, which was something he was working hard to redress by hiring more female field agents. He was firmly of the opinion that female agents had much to contribute to the agency.

That being said, he wasn’t a fan of women forced into being a carbon copies of the men – they had so much more to offer. He preferred female agents who brought complementary skills and qualities to the agency. Cassie Yates was an outstanding example of a great agent – they needed more like her. She was professional, highly competent, a great undercover agent, and she was at her best in unorthodox crimes that required out of the box reasoning. It was early days with Caitlyn Todd, so he’d give her some leeway, but he wasn’t sanguine that she’d step up to become a great investigator when she remained so clueless about her teammates.

“You might have more years as a fed, Agent Todd, but you have absolutely no investigative experience. You’ve never worked in the Treasury branch of the Secret Service, so your value to us in the short term is minimal since you need so much training. On the other hand, Agent DiNozzo has a great deal of investigatory experience - which is why he was hired and why he’s the senior field agent. No because of his gender.

“That absolutely makes him your superior. Were you not briefed on Chain of Command in NCIS as part of your training? You want seniority, then you should have stayed where you were,” he advised her, shooting her a look that said he knew full well that wasn’t an option.

However, Tom wasn’t a bastard, unlike Gibbs. He wasn’t going to call her out on it in front of someone else. He wondered if she even realised why she left the Secret Service was the worst kept secret ever, since she told people when they asked that it was more exciting at NCIS.*
Cate opened her mouth to protest, but Tom wasn’t done with her yet. “Did Agent DiNozzo do anything to sabotage your chances that led to Captain Veitch objecting to your going on the Philadelphia?”

“Well... no... but...”

“So, why throw him under the bus in a childish public tantrum raving about about Captain Veitch’s archaic views on females aboard submarines?”

Tom wondered if it had even occurred to her that her actions appeared childish and unprofessional, and probably confirmed the sailors’ opinions about why women shouldn’t be aboard submarines.

“I don’t know... maybe because he’s a sexist pig who doesn’t respect women.”

“Ever heard of self-fulfilling prophesies, Agent Todd? However, if you feel so strongly about his behaviour that you need to publicly disparage him all the time, then I’ll expect you to make it official, and at least give him a chance to defend himself. I’ll inform Human Resources to expect a formal complaint from you about his alleged unacceptable behaviour,” the director stated firmly, realising he needed to move this conversation to a more formal venue. This issue wasn’t going to go away with some friendly informal conversation.

“My apologies. I think we’d better reschedule our meeting for another time, Dr Sciuto,” he declared before he swept out of the room.

Firing off one last salvo as he exited Abby’s lab, only to stick his head back in again, Tom paused dramatically. “You know, chucking a colleague under the bus to further one’s career prospects, apart from being unprofessional, isn’t real smart since that agent is the one who’s going to be watching your six in a firefight and, as a superior, he would have input to your performance reviews. But then as an experienced federal agent, I guess you don’t need anyone to treat you like some vapid damsel in distress. My bad!”

Heading back to his office, he asked his personal assistant to clear time later today for him to meet formally with Probationary Agent Todd and, upon reflection, to make time for him to meet with Gibbs, too. Returning to his desk, Tom sat down with a sigh and started mapping out the issues he needed to cover with each of them.

He needed to inform Gibbs that he was leaving himself wide open to the perception that he had a sexual, rather than a professional, interest in Probationary Agent Todd, based on how she was hired and then allowed to continually ignore NCIS policy and procedure. The fact that she didn’t have the
prerequisite skills to warrant her role as an investigator on the MCRT and, thus far, had failed to
demonstrate her worth as a profiler, didn’t help to dispel that viewpoint. And this perception could
easily come back to bite them on the ass, particularly with defence lawyers during trials and courts
martial, trying to discredit the MCRT as witnesses - it wasn’t just harmless scuttlebutt. Plus, Jethro’s
questionable comment to his female probationary agent, which could easily be construed as sexual
harassment, did nothing to quell the gossip already running rife around the office.

He’d have to make it clear to Jethro that if he wasn’t capable of handling a member of his team
correctly, he would have to step in and take actions, which ultimately may mean firing her or
transferring her to another team. Captain Veitch had forced his hand, especially if Gibbs didn’t deal
with the situation adequately. As director, he couldn’t simply let things slide - for the good of the
agency, he couldn’t allow this situation to continue.

With Cate, he needed to point out how her behaviour could bite her on the butt, too – although he
would need to avoid phrasing that sentiment in those terms. In light of the current situation, it could
be easily misconstrued as sexual innuendo, and now he could feel a tension headache coming on.
The fact was that her casual habit of making accusations about her male colleagues being sexist
without backing that up or lodging a formal complaint had consequences for her, too and not just
complaints of harassment from other agents who witnessed her continual attacks on DiNozzo.

There were more pragmatic reasons. For example it was necessary for the MCRT to be able to work
effectively with other teams, when necessary, and she was rapidly earning herself a reputation, but
not in a good way. It was highly likely that other male agents would think twice about wanting to
work with her for fear of being treated the same way. At best that could lead to her getting the cold
shoulder, at worst Tom could envisage a situation where agents just refused to work with her. After
all, walking on eggshells around her, watching every word that come out of their mouths, could
conceivably lead to someone getting hurt or killed because they should be focusing on their jobs, not
on whether whatever they said was going to be misconstrued as a sexist comment.

He also needed to discuss with her just how easily she could have found herself up on charges
thanks to her self-absorbed rant at Norfolk – conceivably still could if Captain Veitch changed his
mind and decided to pursue charges. Which was one reason why he called her on her sweeping
statements about DiNozzo, since she needed to realise that she couldn’t just go round accusing her
co-workers, or in this case a Naval officer, without consequences. Tom doubted that the Secret
Service would tolerate such conduct which only made her actions more inexplicable.

While it may seem to be self-evident, Tom decided that he should probably also point out that
DiNozzo had the right to file charges against her for her failure to follow the chain of command,
character assassination and insubordination, if he should choose to. Morrow contemplated if perhaps
HR should make this point to her instead of him so there could be no appearance that he was
attempting influence her inappropriately.

Brightening up as he thought of a partial solution, he decided that perhaps he could ask Cassie Yates
to mentor Gibbs’ probie. Seriously, Gibbs should be dealing with these issues since she was his
agent and his hire, but Gibbs was part of the problem! Damn it, what a mess!

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Fuming, Cate stared after the director, deciding that she would have to watch where she ran off her
mouth. "Glad to see our esteemed leader belongs to the good ol boys' club," she grouched.

Abby looked at her, somewhat exasperated. "C'mon, Cate. Tom Morrow's one of the good guys.
Thanks to him, we have more female agents than ever before and he's also not part of the military. He's hired more civilian agents, which is hardly 'jobs for the boys', and he hired me, which is pretty indicative he's no bigot." Abby defended their boss to the probie agent that she'd become friendly with since she'd joined Gibbs’ team.

Harrumphing at Abby's lack of support, Cate changed the subject. "Why on earth would a perfect stranger care that I dissed DiNozzo when I got upset when Captain Veitch refused to let me on board the Philadelphia? Is he DiNozzo’s best bud or something?"

"Doubt it. I’m no profiler, but it could be because you attacked Tony for something that had nothing to do with him, just because he’s got a pair. Then there’s the matter of our very sexy Silver Fox pissing people off. That’s definitely a factor.” Abby shrugged nonchalantly. “Better get used to it, now you're on his team."

“What’s that got to do with anything?”

Seeing Cate's confusion, Abby continued to explain the facts of life for anyone on Gibbs’ team.

"Okay... well, Tony said that after he sent you out of the commandant's office, Gibbs really talked up your profiling abilities. The Boss-man said you were awesome and had been on the President’s protection team, blah, blah, blah. Then he basically told the commander of the submarine squadron to go screw himself because you and he were going to out the Philadelphia to investigate regardless. Which instantly made an enemy out of Captain Veitch since women are not technically allowed to go on subs. Gibbs thumbed his nose at the Navy and disrespected Veitch by ignoring procedure."

Abby observed Cate preening and she didn’t begrudge her that. Aside from herself, Gibbs handing out praise to his team was rarer than hens’ teeth. You’d think he had to pay for the compliment himself in gold bullion he was such a praise-scrooge.

"So, when you and Gibbs failed to find the terrorist by profiling, despite the build-up he gave you about how it was imperative you question the suspect pool, Veitch and/or his aide probably decided it was payback time for the Boss-man for making him lose face. So, they pointed out that Gibbs’ strategy failed miserably, making you look bad and fuelling tension on his team, and repeating what you said about Tony was probably just a bonus," Abby explained patiently.

“That’s not fair! I can’t be held responsible for Gibbs.” Cate whined.

"Maybe, but get used to it, Cate. Gibbs pisses people off – fact of life! Besides, the director is right. If you hadn't thrown Tony under the bus then you wouldn't be caught up in a turf war between two alpha males to see whose dick is more impressive. Of course, it really didn't help that he told Veitch how amazing you are and you publicly dissed Tony to Gibbs about being better qualified to do the job. Then you failed to find the bomber, despite you both talking up your profiling skills,” Abby stated impassively. If she was going to go around dishing it out, then Cate better get used to copping it on the chin, too.

“Oh, unfortunately for you and my Silver Fox, the teammate you happened to diss, plus the newbie guy from Norfolk, tracked down the terrorist and discovered the saran gas plot, so basically saved everyone's bacon,” Abby observed candidly.

"Hey! Gibbs and I were the ones who prevented everyone on the Philadelphia from being killed. We saved the day!” she protested irately.

"Yeah, but only cuz you were there. Had nothing to do with your profiling of the terrorist. It was intel we sent you using tried and true investigative methods and forensic techniques that enabled you
to stop the attack," Abby countered calmly, thinking that from what Gibbs told Pacci and Balboa, he’d made the leap of logic about the saran gas, the dead terrorist and the freezer. Plus, the COB and the Boss-man were the ones to save the day, not that Gibbs was bragging or anything because he was already a genuine bona fide died-in-the-wool hero, so he totally didn’t need accolades.

Cate was also quiet, thinking back to the so-called friendly advice that the director had offered her. That oblique comment about DiNozzo was niggling at her. Since she didn’t have a rebuttal for Abby’s point that profiling had failed to save the Philadelphia since it was true, she changed the subject.

"Hey, Abby - what do you think Director Morrow meant when I said I was a trained profiler and Tony was just a cop?"

"Hmm. What did he say again?" the Goth asked vaguely.

Abby’s thoughts had moved on from ‘Gibbs the Hero’ - her silver knight in shining armour to wondering about the rookie agent that Tony had worked with on the case, even if DiNozzo didn't think they were suited. The truth was that Abby was always on the lookout for fresh guy meat since she went through men pretty quickly. She probably went out with as many dates as Tony, but no one dared to call her on her dating habits since she knew how to kill someone and not leave a trace. And there was the fact that she was Gibbs' favourite and he scared the crap out of people.

"He asked me if I was sure about him or was making assumptions and mentioned that Gibbs had a rule about it. He said even if that was the case it wasn't a good enough reason to trash him in public," Cate replied. "What was he talking about?"

“Oh, that’s Rule 8, Cate.”

“No, not the rule - the other stuff.”

“Well, it sounds like he’s hinting that DiNozzo has been keeping secrets. Maybe profiling secrets," Abby mused as Cate openly scoffed at the thought.

“Oh, please!"

"Why not? Tony may act dumb at times, but he's far from stupid, Cate. This is a classic example of Rule 8,” she stated.

Seeing the obstinate expression on the profiler's face, Abby gave a mental shrug, deciding that she wasn't going to change Todd's mind about DiNozzo. So, Abby elected to save her energy and changed the subject to something that had been bugging her ever since the case began.

"So, tell me. What's Agent McGee really like? Is he cute?"

Cate pictured the green-faced, puking, newbie wearing a mask. They encountered the slightly pudgy, baby-faced rookie over the anonymous acid-soaked body in a barrel of the submariner, which wasn’t the best way to create a favourable impression. Gibbs had promptly and rather amusingly christened him Michael Jackson and ordered him off his crime scene before he contaminated it by ralphing. Meanwhile, Abby was waiting impatiently for her assessment and she floundered. A puking newbie wasn’t exactly her idea of cute date material, so she wasn’t exactly sure what to say.

Still trying to come up with an answer, her phone pinged, telling her she’d received a text message. Checking her Blackberry, Cate saw it was HR letting her know that Morrow had informed them
she’d be stopping by to discuss how to file a sexual harassment complaint. She glowered at the screen, angry at Morrow.

One minute later she received a second text. This time it was from Director Morrow’s PA, Cynthia, to inform her that he wanted to see her at 1600 in his office.

Oh. Sugar! How could a few innocent off-the-cuff words, spoken in the heat-of-the-moment cause such a kerfuffle? Talk about making mountains out of molehills!

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Chapter End Notes

* In Left For Dead (S01e10) Cate told Jane Doe aka Suzanne McNeill she left the Secret Service because her current job was more exciting, which suggested that she wasn’t exactly proud of her actions and wanted to conceal them.

** In One Shot One Kill (S01e13) Cate and Tony had a conversation where it was strongly implied that Tony had profiler training and Cate acknowledged it as if it was a known fact. Yet another one of those snippets that were dropped into an episode and then swallowed up into a black hole never to appear again.

Speaking of snippets used to tease us that they might be picked up later on and never did, was I the only one that picked up on a biggie in this episode? There is much made out of the fact that Cate and Gibbs have training/experience in detecting liars via non-verbal cues – one of which is that when recalling information, liars look down and to the left when lying while people recalling genuine memories gaze to the right, and PO Thompson gives us a clear example. That also leads to the so-called discussion/excuse about why they can't tell who the eco-terrorist when Gibbs observes that everyone lies, (which sort of ignores the many other tools of profiling and is pretty insulting profilers) and begs the question – why bother going out to The Philadelphia? Then when McGee and DiNozzo have discovered the eco-terrorist's plot and McGee exchange details of his education then asks Tony about his degree, Tony clearly pauses and looks down to the left before mentioning OSU and Phys. Ed. Coincidence?
Chapter Summary

Director Morrow decides it's time introduce some changes in the office and not everyone is happy about it.

Chapter Notes

A/N: Thanks to the Trips for their input, RCEpups for her two cents worth and Arress for the beta and her additional suggestions for courses. Thanks also to people who leave feedback – I do appreciate people’s comments. I know a lot of people were hoping for a sequel for the last tag but I’ve sworn off sequels for the moment. That’s not to say that other people aren’t welcome to come up with sequels should they feel inspired. :)  

Warning: After a lot of serious tags, I’ve changed it up with the next two are more humorous, especially since there are a few rather heavy episodes coming up. Any opinions expressed regarding red- heads in this tag do not reflect the opinions of the author or Tom either, I suspect and are intended as illustrative purposes only.

Series: There's Always Tom Morrow

Title: New Rules

Episode: Minimum Security

Characters: Tom Morrow, Paula Cassidy, Tony DiNozzo, Leroy Jethro Gibbs, Chris Pacci, Ric Balboa, OC Anna Martinez

The NCIS director leaned his arms atop the balustrade of the mezzanine level, overlooking the bullpen as he spoke to his grandson on his cell phone before entering the Multiple Threat Assessment Centre to take a videoconferencing call from one of his agents in Bahrain. Ending his call, he paused a few moments to watch the drama rapidly unfolding below him in the MCRT work space.

Probationary Agent Todd was sitting at her desk, eating something that looked disgustingly healthy and awesomely unappetising. Tom shuddered at the thought – no doubt some rabbit food or that tofu crap that Mrs. Morrow tried to slip into his stir fries when he wasn't watching. Uugh!

Senior Field Agent Tony DiNozzo was reclining nonchalantly in his office chair as he talked animatedly into his cell phone. His lunch, by the looks of it a burger, lay half eaten on the desk beside him, leading credence to the assumption that the MCRT was on their lunch break. Damn – with observational skills like that, Tom should have stayed a field agent, he chuckled inwardly. Whoever the ex-cop was speaking to had apparently earned the disapproval of Todd, whose expression telegraphed her feelings very clearly or perhaps in hindsight it might have been anxious anticipation.
Regardless, it was the fact that he could see Gibbs stalking across the floor of the bullpen, ever-present cup of coffee clutched tightly in his hands, which had attracted Tom's interest. As Gibbs arrived in their own area, he strode over to DiNozzo's desk, a look of fury on his face as he snatched his senior field agent's phone and hit the end button, rudely terminating the conversation and then pocketing the phone.

"Hey, Boss! I wasn't done," Tony protested.

"No personal calls, DiNozzo. You know that!"

"I'm on my lunch hour, Gibbs."

"You get time to eat if I say so. That doesn't mean you can make personal calls. If you don't want to eat, get back to work!" He swept DiNozzo's lunch into the trash can and stalked off to the stairs and disappeared.

Tom shook his head, marvelling that Tony hadn't decked Gibbs or applied for a transfer yet. He doubted many agents of his calibre would tolerate such outrageous behaviour from a superior. Reaming him out for it was like banging your head on a brick wall – Jethro was the most frustrating individual – so sure he was always right and everyone else was stupid. It was time to get creative!

Making a mental note to send Gibbs to a human resources seminar on acceptable leadership practices to punish him, and to make sure it was a particularly touchy feely one in order to really rub salt into the wounds, the director paused before the iris scanner and headed into MTAC.

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Heading out of his office at the end of a long day, he wandered tiredly along the walkway towards the elevator when he glanced down into the bullpen, surprised to see a lone desk light on in the MCRT workspace. There were no active cases assigned to the team and neither Gibbs nor Todd was at their desk. In fact, their computers were switched off and their work areas in darkness, and Tom was curious.

He was aware that Tony often came back late at night to chase down leads, but that was usually when they were working a hot case or long after everyone had gone home. He had discussed this habit with him since HR were up in arms and pointing out the issues it could cause with OSHA, but Tony had explained that sometimes he had episodes of insomnia or job related nightmares.

Tom knew that it was an occupational hazard of the job and had kept an eye on it, making sure Tony didn't go completely overboard. Plus, he'd tried to send him to the agency shrink in the past, but it hadn't worked out so well. Tony and Jethro both hated shrinks, but their approaches to counselling were as different as chalk and cheese. Gibbs refused to go, or if he did acquiesce, he would glare mutely or make the psychologist cry. Frankly, after spending time with Gibbs, the agency counsellors all need peer counselling themselves.

Tony, on the other hand, bamboozled his counsellors with his mental gymnastics or he ended up dating them, which made them ineligible to continue a clinical relationship with him and had to refer him to someone else. At least they didn't need therapy after a session he supposed. But observing him tonight, he didn't think insomnia or nightmares were the cause of him riding his desk when everyone else had gone home. He was still dressed in the clothes he was wearing earlier today and, although it was 2130, Tom had the distinct impression DiNozzo hadn't yet left the office and gone home.

Detouring down the stairs, he made his way across the floor to investigate.
"Don't you have a home to go to, Agent DiNozzo?" he asked mildly.

Tony grinned wearily. "Yes, Sir."

"Then what are you doing here? There are no outstanding cases, are there?"

"No, Sir," he responded, ignoring the first part of the question.

Tom smirked exasperatedly. Tony could be a slippery eel when he didn't want to reveal something, but he was a lot more personable about it than Gibbs was. "So, my question still stands. What are you working on, Agent DiNozzo?"

Looking uncomfortable, he responded half-heartedly. "Um... ah, status reports on all the cold cases, Director."

"Well, I'm sure that can wait. Besides, I'm sure you can finish it off tomorrow. Go home."

"Ah, no, I need to get it done by the end of the week."

"Even so, I'm sure you've already put a dent in it and you don't have to get them all done tonight. You have to learn to pace yourself or you'll be burnt out in a few years, DiNozzo. Work-life balance." Tom looked at Tony's innocent expression and pursed his lips in thought. That face was a fair indicator that he was concealing something. "Take a leaf out of your teammates' book – go out to dinner, go dancing. Live a little," he urged the young agent.

When he realised that Tony wasn't making overtures towards a departure from the bullpen and looked pained to the point of what his wife had termed in their own kids growing up as 'the constipation face', he decided to investigate further. After all, he knew that while DiNozzo gave off a persona of a dilettante, he was an absolute professional, but in this instance, Tom couldn't understand his obsession. Surely, summarising the status of the team's cold cases shouldn't take that long or put him into such a funk.

"How many cold case does the MCRT have?" He figured it was somewhere between twenty to fifty unsolved cases.

"Ah, it's currently forty-one, Director."

"And how many have you finished updating?" he probed patiently.

"Well, 39 but..."

"But nothing, you'll make the deadline without breaking a sweat," he observed confidently.

"Not just our cold cases," Tony revealed reluctantly. "All outstanding cold cases."

Tom did a double take. "In DC?" he demanded furiously.

"No, Director," Tony responded unwillingly. "The agency."

"Busywork? Gibbs has you doing busywork. Why?"

"Punishing me."

"Stop with the monosyllabic answers, DiNozzo," Morrow growled, feeling pissed.

"Not monosyllabic, Sir. Punishing has three syllables, so that would be tri-syllabic I suppose or
"Enough, Tony. Why are you being punished?"

He sighed. "I broke the rules... " His desk phone ringing interrupted and he made a moue of apology as he picked up the receiver. After answering he listened, looking distinctly unhappy.

"Didn't you get my message? I'm sorry, but I can't make dinner. No, I'm not going to be able to make it this week. Maybe we need to reschedule. I'll call you when I can. Bye." Tom noted his face had softened and his eyes were smiling. He hadn't seen such genuine emotion since the agent's fiancée bailed on him. He'd formed a tough carapace of arrogant indifference since then.

"Your date?"

Tony nodded in confirmation.

"So, what did you do to piss off the old goat this time?" He probed, feeling like this conversation was tougher than any interrogation he'd conducted.

"Broke two rules. Made a personal call during work hours." Tom recalled the tableau he'd witnessed earlier and had intended to address until he got caught up in the crisis in Bahrain.

"And the second?"

Looking defiant, he admitted grudgingly, "Rule 12."

"Ah, Rule 12. You dated Todd?" he asked, surprised. Morrow definitely didn't see that one coming.

Tony looked pained. "Dating a team member is just asking for trouble, Sir. I would never do that, even if I was attracted to them and for the record – I'm not. This was a co-worker."

Tom felt something stirring in his memory. It was a conversation several weeks ago...

Morrow stared across his desk at his agent. The blonde with a determined chin and clear grey-blue eyes was staring at him, expectantly.

"Permission to speak off the record, Director?"

"Granted, what's on your mind?"

"With all due respect, Gibbs is a misogynistic asshole, Director. He was determined to find me guilty and I got absolutely no professional courtesy or respect from him as a fellow NCIS agent – he treated me like the enemy and told me we weren't on the same team. That's despite the fact that we work for the same agency and have the same goals and objectives, nor did he give me a chance to defend myself. I've had more sympathetic encounters with IA than I did with Gibbs," she railed, clearly outraged by her experience.

"Even the worst of criminals get a chance to have the charges against them made known and have legal representation, Sir. Me? All I got was passive-aggressive deception when I asked if I was under investigation. I still don't think he's convinced I'm innocent."

Tom had been reading the file on his desk, but he suddenly looked up at Paula Cassidy's statement. He was curious as to why she would think Gibbs didn't trust her. As far as Morrow was concerned, Special Agent Cassidy had been completely vindicated. Granted, she failed to immediately report vague qualms that the interpreter she used, PO 2nd Class Kahlil Sa'id seemed to translate more
words than was necessary and obviously that was a big mistake. Yet no one was infallible, people made mistakes – the main thing was to learn from them and not continue to make them. And if that was what had gotten in Gibbs' craw then all he could say was glass house and throwing stones.

Gibbs was far from perfect himself, despite his reputation for omnipotence and when the former Marine screwed the pooch, it was usually an awesome cock-up. Moreover, there was little or no likelihood he would actually acknowledge his missteps. As Rule 6 popped into his head, Tom unsuccessfully swallowed down a chuckle that ended up as a snort. Paula looked at him in irritation as he realized belatedly she thought he was laughing at her.

Trying to appear directorial, and that he was taking her observations seriously, he commented solemnly. "That seems a long bow to draw, Special Agent Cassidy. What makes you think that he still thinks you're guilty?"

"Because he's doing his damnedest to keep Special Agent DiNozzo and me from associating with each other. Obviously, he doesn't trust me. Why else would he be trying to sabotage our attempts to spend time together – to go on dates?"

"Ah, I see. Well, I don't think that he really believes you're guilty, Special Agent Cassidy. I think the issue is that Gibbs doesn't like his team dating. He has this rule – Rule 12 – never date a co-worker," he explained.

Cassidy had shot him an incredulous look. "You're kidding, Sir? That's absolutely ridiculous."

"Nevertheless, that's Gibbs, Cassidy. You can always lodge a formal complaint with HR," he observed and was amused by the glint in her eye as she considered his suggestion, finally nodding.

"But there's no rule or regulation about co-workers dating, having a relationship, or hell, even getting married," she protested.

"Unless it is between a supervisor and their subordinate," Tom agreed, impassively.

"So, who died and made Special Agent Gibbs God?" she snarked and Tom had swallowed a grin.

Since that had been over three weeks ago, it had slipped his mind, but in his defence, Tony tended not to stay with anyone too long after his very public abandonment by his almost wife. He preferred being the one to move on these days and Tom couldn't really fault him, given his history.

Regarding Tony empathetically he quizzed. "So... the phone call just now – that was from Special Agent Cassidy?"

Tony looked surprised. "Uh huh."

"And the phone call at lunch – Cassidy?"

Tony nodded.

"Go home, Tony." Seeing he was going to protest, Tom glared. "I'll handle this. Go home."

Conceding defeat, Tony started packing up his gear and Tom waited to walk him out of the building, thinking about tearing Gibbs a new one, with a twist

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When Gibbs arrived at the Navy Yard the next morning, he found an unscheduled meeting had been
called by Director Morrow for all senior supervisory agents. Gibbs hated meetings, it was a waste of his time and he had to sit and listen to idiots pontificate about stuff that was trivial, like ordering paper supplies and complaints about hand towels. If he had to listen in to one more pencil pusher from accounting drone on about toilet paper going missing, he would cheerfully shoot someone.

Stomping off to the director's office, he wondered why he'd called this meeting. After all, they'd already had their monthly meeting last week. This must be something pretty big. He impatiently looked at his watch. His team might just be doing paperwork after the back to back cases they'd worked after coming back from Gitmo, including several murder cases, but that didn't mean he'd tolerate sitting on his butt in dumbass meetings.

He sighed with relief when Morrow made his way in and sat at the head of the conference table.

"Sorry to drag you all away from your business. This won't take long, people. Are we all here?" he asked the assembled SSA’s.

"Yeah. We are now, Director. Sorry I'm late," Balboa panted as he entered hurriedly and he collapsed into a vacant chair next to Gibbs.

"Good. Let's get started then, shall we. I wanted to draw your attention to some new rules that are being introduced for field agents, effective immediately. First off, I'm hereby ordering SSAs to cease driving company vehicles or their own personal vehicles for that matter, for field work. Driving is to be done exclusively by SFA's from now on when you're on the company dime," he announced sternly.

Gibbs and several other team leads looked up violently, their expressions ranging from shock, surprise, to fury in the case of Gibbs as they processed this order and before the director could continue. Pacci, raised his hand indicating he had a question.

"Regarding the driving ban, Director. How does that relate to me?"

Tom smiled. "Excellent point. Chris. Until I find you a partner to work cold cases with, clearly you're exempt from that rule."

Pacci nodded and Anna Martinez raised her hand. "I don't understand, why is there a ban on SSAs driving?"

Tom nodded. "Well, Balboa was T-boned last week. So I've decided that it's too dangerous for team leads to drive," he stated in all seriousness as people looked flabbergasted by his rationale.

"Not to mention there's the factor of astronomical insurance premiums following the trashing of agency vehicles by some drivers taking non-approved shortcuts. Senior field agents, actuarially speaking, are younger, have faster reaction times, have been trained in defensive driving techniques, and have more situational awareness than older agents, who statistically are SSAs. They have on average, less accidents and are issued more traffic infringements, particularly speeding fines." He observed and all the SSAs shot angry glances at a certain former gunny. "And this new rule will henceforth be known to as Rule 25."

Completely dumbfounded by these claims, his team leaders remained mute.

Smiling enigmatically, he continued. "Moving on - the second new rule, which will be known as Rule 29, is that coffee breaks are to be confined to scheduled meal or tea breaks and that's all."

Everyone swivelled their eyes to check out Gibbs' reaction, the well known caffeine addict, who not surprisingly, was scowling fit to combust. The director, meanwhile, seemed impervious, perhaps
even oblivious to the reception his rules had attracted. "So, are there any questions," he asked his SSAs.

"Why?" Balboa queried before Gibbs had a chance to object.

"Yes, well, too much caffeine is bad for one's health – can lead to jitteriness and heart palpitations. Can lead to decreased performance, especially when firing a weapon. And it leads to decreased productivity in the bullpen when people are ducking out continually to get refills, so no more wasting time, no more going out for coffee constantly.

"And last but not least, let's talk about Rule 37. Effective immediately, no field agent with red hair can be hired. That includes individuals who are titian, auburn, strawberry blonde, gingers, and most especially carrot tops. Do I make myself clear?"

Despite most of the agents beginning to wonder if Tom Morrow had lost his marbles, Chris was smiling mysteriously, as if he knew something that the others didn't.

"May we know why, Director Morrow?" Chris asked, unable to completely contain his huge shit eating grin, so he turned away from his colleagues. Nonetheless, Tom noticed and winked at him furtively.

"I guess as long as I'm assured of your discretion, Special Agent Pacci. The truth is that when I was a young candidate at FLETC many years ago, I had a tumultuously torrid tryst with an instructor who was a redhead. When it was over, she-whose-name-I-have-expunged-from-memory, gave me a poor grade on my 'Interviewing Suspects' course, thus breaking my heart and threatening my career, so I can't bear to be around them." He deadpanned in the midst of his stunned agents before continuing.

"Redheads are poor judges of character and unprofessional, therefore I've decided not to employ them as field agents. And henceforth, I forbid anyone socialising with redheads either, since they can't be trusted not to break your heart and/or ruin your career. Gibbs - no more getting chauffeured around by that brassy, brazen hussy in the silver convertible. Finito."

He ignored all the exclamations of anger, incredulity, and disbelief with a serene benevolence.

Anna Martinez stuck up her hand. "What about redheaded agents already employed?"

"And what about if your spouse is a redhead?" Ric demanded gruffly, although the corners of his mouth kept threatening to turn up as he began to suspect what Chris already had. That they were being taken for a ride here. Was it April 1st?

Tom scowled at his team leaders. "Those agents will be given special dispensation to stay as long as they agree to dye their hair brown or blonde, as will people already married or living in de facto relationships, but everyone else will have to submit to random hair tests on their clothes to ensure they aren't flouting this rule. And don't think that hair dye will fool the hair-test," he warned his agents sternly before dismissing them. "All right, let's get back to work."

Tom was hardly surprised that Gibbs stayed behind to talk. He would have been shocked if he hadn't.

As soon as they had been left alone, Gibbs fired his opening salving. "This some sort of prank, Tom?"

"Hardly. Why would you think that?"

"Because it's outrageous. You can't expect us to abide by these asshat rules," Gibbs snarled.
"On the contrary, Jethro. My agency, my rules. Anyone that doesn't like it can always retire or resign. Plenty of other law enforcement jobs out there if you can't follow my rules."

"They make no sense. Just because Balboa was in an accident, doesn't mean we should all penalised. I'm a better driver than any of the SFAs." He boasted and Tom pissed him off by looking highly dubious at this statement.

Working himself into rant, something that came pretty easily to him, he continued. "And it isn't fair making me suffer not letting me drink coffee. It doesn't affect me – I'm perfectly fine to perform my duties no matter how much coffee I drink." He growled. I need it!"

"When you're working for me, I get to say when you get to waste time drinking coffee. Just be thankful ya get to have it at designated meal and break times. They're more than you give your own team, which will stop by the way or you might find your caffeine breaks shrinking even more." Tom warned his agent sternly.

Gibbs shot him a look that was meant to kill. "And Rule 37? It defies any form of logic. You can't tell me who I can spend my time with out of work hours."

"Is that so?" Tom smirked infuriatingly and Gibbs longed to wipe that damn smug look off Morrow's face. "Nonetheless, my orders stand. My agency, my rules. You don't like it, there's the door." Tom gestured to the doorway. "Don't let it hit you on the ass on your way out."

"HR won't let this go, Director. You don't have the authority to enforce these ridiculous rules and they make no sense," the functional mute growled.

"Well, I must say, that's rich, coming from you," Tom commented sardonically.

Bristling, Gibbs shot back, "What the hell's that supposed to mean?"

"That you gotta ask, speaks volumes about your lack of insight. When you figure it out, we can talk again... maybe." Tom told him dismissively. "Your Rule 6 isn't an excuse to avoid examining your own behavior." He stated obliquely, because bluntly pointing out Gibbs deficiencies didn't seem to have any impact on the stubborn SSA.

"Oh, and Gibbs, another thing - I don't like my agents being given busywork. I ordered DiNozzo to stand down after I found him slaving away here last night. The hours the MCRT put in when you're on active cases already have Human Resources on my back about the amount of overtime your team works. I won't have them spending entirely unnecessary overtime working on meaningless tasks because you're pissed off with them. Maybe I'll make it a rule that you have to have my approval before you assign any additional work to any of your agents since you appear to be driven by personal instead of professional reasons and it's impacting me and the agency."

He glared at the angry team leader, "Now get out of my office, stop bellyaching and do your damned job!"

Coda:

Twenty-four hours later, Director Morrow very quietly rescinded his three new rules for his senior supervisory agents – with the lone exception of the SSA of Major Case Response Team. When each team lead approached him on the down low to ask if he was pranking them by taking the piss out of Gibbs' rules, he congratulated them on their deductive reasoning and assured them that they were free to drive and hire redheads. Ducking off for coffee should be curtailed however, as it was getting out of hand as the mangers of HR and Accounts had pointed out- especially in the case of a certain
former Marine.

Everyone but Gibbs soon got back to normal and the agents waited anxiously to see what would happen next. Especially as Gibbs' disposition had not exactly improved by the new rules as he suffered from withdrawal from caffeine, redheaded chauffeurs, and getting behind the wheel. The director was really hitting Gibbs where it hurt.

The truth was that Tom didn't have a problem with some of Jethro's rules like Rule 9 – always carry a knife or Rule 10 – never get emotionally involved in a case. Both were excellent pieces of advice, although truly, it was a pity that Gibbs didn't take his own advice when it came to number 10. And there were others that were pretty benign like Rule 23 - never mess with a Marine's coffee or Rule 22 - never disturb Gibbs when he's interrogating a suspect. They were practical rules for a team leader to impose on his subordinates and didn't threaten to undermine agency regulations, but some were simply outrageous like Rule 6 – never apologise, it's a sign of weakness or Rule 3 never be unreachable. And some were flat out illegal, like Rule 12. Gibbs couldn't tell people who they could date. He wasn't even going to get started on the ones not assigned a number like no personal phone calls on the job.

Meanwhile, as Gibbs became more obstreperous by the minute, Tom decided it was time to up the ante and apply more pressure. The short term pain for them all would hopefully be worth it in the end.

He sent Gibbs an email informing him he wanted a status update on every cold case on the agency's books, stipulating he required Gibbs to do it personally and not delegate it to his underlings. Tom had already commandeered Tony's previous work on the project so Gibbs couldn't utilise it. He'd even had IT delete his work from his computer, ensuring Gibbs would have to start at the beginning. Anticipating a Tsunami named Gibbs, Tom wasn't surprised by a caffeine deprived, and clearly hung over, ex-gunny sweeping into his office yelling and kicking his trash can. Taking the wind out of his sails, Tom proceeded to press strips of sticky tape over his sports jacket and the collar of his polo shirt, informing him he was conducting a random hair test. Frankly, Gibbs was so pissed off that Tom thought he might stroke out and he wished he'd thought to organize to have Ducky be on standby.

When Gibbs finally seemed capable of speech, he waved the email in his face. "What happened to no busywork? You barred me from using it on my team, but then you give me busywork to do? Isn't that a bit hypocritical, Di-rec-tor?"

Tom chuckled and Jethro wished he had his Sig.

"Not at all, Special Agent Gibbs. Wait... didn't I tell you about my most important new rule- Rule 1-Do as I say, not as I do. I'm sure you know all about that one, Gibbs."

"What's this all about? Really?"

"When YOU can figure out what the rest of the SFAs have figured out already, then we can talk. That's if you're prepared to fix it and apologise. In the meantime, I'll expect that sitrep by Friday and since you expressed concern about excessive overtime, much appreciated by the by, you can complete the work at home in your own time."

By fixing it, Jethro would be required to admit that some of his rules were unlawful or plain dumb, acknowledge his hypocrisy and offer a mea culpa. Tom figured that Hell would normally freeze over before Gibbs would break Rule 6, but then again, he also had him by the short and curlies with his three 'New Rules'. Well, Tom could wait. The question was, could Jethro?
In the meantime, he'd found the perfect sensitivity training course for team leaders which he would order Jethro to attend once he'd broken him down. The course entitled 'A Happy Employee is a Productive Employee' was being facilitated by Felicia Feelgoode and involved such awesome topics as:

Session 1: My Mind My Body – So Hands Off It, Supervisor.

Session 2: There's the Line, Team Leader – Cross It at Your Peril or We'll See about That in the Court Room When I Sue Your Pants Off.

Lunch Break


Session 4: Work-Life Balance, It Applies to Everyone, Even your Minions.

Afternoon Tea

Session 5: Caffeine - Do You Really Need it? Alternatives such as Aromatherapy, Herbal Teas, Infusions & Yoga.


Dinner Break

Session 7: Delayed Gratification is NOT a Dirty Word, Supervisors - So Back OFF Buddy.

Session 8: Q & A session/Group Sharing and Networking

Morrow hoped the work life balance message might penetrate the former Marine's thick skull but he wouldn't hold his breath. The third session sounded like fun and session five and six would drive Jethro crazy, especially when he found out that there was only herbal teas and a macrobiotic lunch and dinner available. He would love to be a fly on the wall for this one. Tom decided that this was probably a much better form of chastisement than giving his senior supervisory agent a tongue lashing, since Jethro loathed attending training courses. Deciding to be prepared, he made a list of others he could send Gibbs to should (when) the occasion arise:

Overcoming Male Chauvinism in the Workplace for Managers and Supervisors

Coaching and Team Building Skills for Managers and Supervisors

Communicating With Tact, Diplomacy and Professionalism

Excelling as a Highly Effective Team Leader

How to Become a Better Communicator

How to Excel at Managing and Supervising People

These all sounded like distinct possibilities. Who knows, Jethro might even learn something from them, other than just being pissed off. Staring at the dented trash can that Gibbs had abused several days ago, he decided to search out some anger management courses for him as well.
Chapter Summary

A Marine purported to be killed-in-action contacts his widow during his funeral service. Meanwhile Cate is not happy about the destruction of her BlackBerry or is she upset about something else? And what is Gibbs upset about?

Chapter Notes

Warning: I been told I need to put a warning on this tag not to read it while consuming food or drink since in may be harmful to your computer althou I'm not so certain of that, but in any event, please consider yourselves warned.

Thanks as usual go out to the Trippies for their terrific suggestions and feedback, Arress for her beta and icpmcss2 for her suggestion about RF chips in IDs. Thanks for all the reviews - glad you enjoyed the last chapter. Hope this one lives up to the last in terms of humour.

Series: There’s Always Tom Morrow

Episode: Marine Down

Title: Time to Pay the Piper


Tony slid behind the wheel of the agency vehicle and started the engine. At least with Gibbs getting a ride with his mysterious red head in the silver convertible, there was no worry about who would be riding shotgun back to the office. Glancing across at the passenger beside him, he noted she looked less than impressed.

“What’s up, Cate? This was a good outcome. Major Peary is home with his family, while dirt bag CIA spook is dead, and all’s well with the world – at least for today,” he observed cheerily.

“Oh yeah, wonderful outcome if you call having your ear shot off by a hack cop who couldn’t shoot fish in a barrel,” she accused him, bitchily.
Tony was about to point out he’d scored higher than she had on the range, which had pissed her off no end, but shrugged. He was a damned good shot and he didn’t need to exchange insults with a sharp tongued shrew again, since they’d had this conversation today. He didn’t need to bang his head up against a brick wall a la Ground Hog Day.

Sure, he didn’t mind a bit of Cate- baiting – she kinda asked for it with her sarcastic put downs but, at the end of the day, he knew he was damned competent with a gun. Especially when it counted. He worked hard to ensure he could have his teammates’ backs when it mattered, since that was the most important thing as far as he was concerned. So, he changed the subject by turning the other cheek... again.

“Wow, Agent Todd. What’s got up your nose? Did you forget to have your bran fibre this week?”

“You’re a pig, DiNozzo, and for your information, my dietary habits are none of your damned business. Doubtful if you can even spell nutrition let alone are capable of understanding the principles of it,” she snarked at him nastily.

Tony raised his eyebrows. Did Cate truly not comprehend that he was required in his undergraduate degree in Phys. Ed. to complete many of the same courses as pre-med students? Plus, as an athlete awarded a scholarship to play varsity basketball and football at OSU, successfully completing nutritional science classes were mandatory and he was expected to train and maintain good health – of which eating well played a huge role. Guess the college was keen to protect their investment – too bad they hadn’t been able to protect him from a career ending tackle delivered by a strapping hulk of a Wolverine.

Hell, he probably knew way more about nutrition than she did. In fact, Cate scoffed down processed soya products such as milk, cheese and her tofu wraps, and stir fries like it was going out of fashion, thinking they were healthy. Yet the truth was shock horror – that just like most highly processed mass produced foods - they were of questionable nutritional value. High levels of phytic acid in the unfermented Western mass produced varieties actually reduced assimilation of calcium, magnesium, copper, iron, and especially zinc in the GI tract, and that was just for starters.

When he ate soy, it was fermented soybean cake called Tempeh which had a nutty, mushroomy flavour, tamari and natto had many health benefits. He’d been introduced to them in college by a volleyball playing girlfriend whose mother was Indonesian. The fermented variety tasted totally different from the processed stuff that Cate and many like her consumed in alarming quantities as a healthier alternative for dairy and meat and had become a huge industry. So, while he’d picked up some bad habits when he entered the police academy – pizza and jelly donuts, he’d continued to eat fermented soy. In fact, natto had become an integral part of his fitness regime since it contained nattokinase and Vitamin K2 and had benefits for a healthy heart and strong bones and helped prevent blood clots, which with all the injuries he acquired as an athlete and then as a cop, was pretty damned useful.
Shrugging, he figured that she wouldn’t want to be lectured to about the dangers of processed soy products created as a by-product of soy oil production from a dumb jock. She’d never want to acknowledge that she’d underestimated him, particularly his intellectual capacity, since almost from the first moment she’d encountered him, she’d pigeon-holed him as a just a stupid jock and a male chauvinist pig.

“So, what’s wrong?”

“You really want to know what got up my nose, Tony? Who the hell is THAT WOMAN in the convertible who chauffeurs Gibbs around?” she demanded, emphasising ‘that woman’ in such a way as to make it sound like a slur on her character.

Tony grinned, picturing the boss’ red head with a scarlet ‘A’ emblazoned across her chest. “I don’t know, Cate.”

“It’s demeaning the way he expects her to pick him up all the time, like some fawning groupie. Is she his girlfriend and if so, why doesn’t he do her the courtesy of introducing her to us? She’s a person, not eye candy...” Todd huffed, getting even more worked up and showing every appearance of getting ready to launch into a rant about male chauvinism.

In an attempt to head it off, since he’d heard it all before from the probationary agent that he’d briefly felt a moment of kinship with at the firing range the other day when she threatened to burn Gibbs’ boat, he interrupted before she really had a chance to get into stride.

“Whoa there, Cate. Why do you care? You sound like a jealous girlfriend,” he observed half-jokingly.

“Oh, grow up, DiNozzo!”

“C’mon, Cate. What’s your problem?”

“Gee, I don’t know. Maybe it’s because I’m fed up with having to put up with a bunch of male chauvinist pigs. Tell me, how come Gibbs takes my personal BlackBerry, which I paid half a grand for, and all he took of yours was a miserable old stinky NCIS cap that didn’t cost you a dime? If that isn’t a blatant case of sexual discrimination, then I don’t know what is,” she harrumphed at him, indignantly.
Tony frowned, wondering why she was suddenly so pissed off about her BlackBerry after being in such a good mood when they brought Major Peary home to his wife and two little kids. She suddenly seemed to get mad after Gibbs slid into the silver Beemer with his mystery lady friend AKA Hester Prynne. Then he remembered how Cate had become super embarrassed down in the lab and snatched her sketch book back and wouldn’t let them see her drawing of Gibbs.

Initially, he’d thought it was because it was derogatory, like the ones she’d done of him and Abby, but now he was wondering if she’d been embarrassed for another reason. Did Probationary Special Agent Caitlyn Todd have the hots for Leroy Jethro Gibbs? He’d ignored the scuttlebutt doing the rounds since it was usually wrong, but plenty of people speculated that Gibbs had hired Cate because they were having an affair.

As his brain took in the ramifications of Cate’s crush on their boss, he opened his mouth before engaging gear. “You could always put in a claim to the Accounts Department for the loss of your personal property if it pisses you off that much, Cate,” he suggested, as he began mentally searching through the various interactions that had taken place since she was hired, looking for corroboration of his theory.

Little did he ever think Cate would actually take him up on his suggestion.

~o0o~

Almost two weeks later...

Gibbs entered the elevator in a foul mood Monday morning. Arriving after a weekend that he’d been looking forward to as one filled with boat, basement, and bourbon, it had unfortunately degenerated into two days of being bombarded by acrimonious telephone messages and culminating in his second ex Mrs. Gibbs turning up unannounced, uninvited, and definitely unwanted. Not simply content with hounding him via the telephone, it seemed, along with his third ex Stephanie, Rebecca had turned up in person simply to harangue him. All because there had been a mix-up with Gibbs’ pay that meant that his alimony was late.

Damn that woman! She was a piranha who wasn’t happy if she wasn’t sucking him dry, emotionally and financially.

Arriving at his desk, he dumped his coat, scarf, and gloves and decided to sort this situation out ASAP. The sooner he informed the Pay Office that they had short-changed his pay for the fortnight,
the sooner he’d get Rebecca and Stephanie off his back. He stomped off down to the first floor, wishing there was some way to make these bunglers pay for their stuff-up. Incompetent, inept idiots. How do you put a price on a weekend of solitude and sanding, though? As far as he was concerned, it was priceless.

Since it was early, there was only one person who’d arrived in the Pay Office, a ferret-faced, weedy looking individual called Myron Greenstreet. Gibbs wasn’t sure exactly how long the ferret had worked at NCIS - he was kinda part of the furniture, though Jethro hadn’t had cause to talk to him before. Clearly, the terrified cypher knew who he was because the thin-lipped little man paled noticeably when he saw Gibbs wanting to talk to him, which was impressive since he was pasty faced to begin with.

“C... can I help y... you, Special Agent Gibbs?” he stuttered nervously.

“Yeah, Greenstreet. You idiots short-changed my pay so you can help by telling me that you’ll fix YOUR stuff-up with MY pay, immediately. I was underpaid by half of my salary and I want it fixed! NOW!”

Myron paled. “Oh dear. Just let me call up your file, Special Agent,” he stalled trying not to aggravate the infamous agent any further than he already was. “Mmm... let me see. Ah huh... ah huh... hmm. Well, according to this... there was no mistake. The Accounts Department authorised us to garnish your wages to recover monies outstanding,” Myron explained primly, still looking nervous.

Normally, Jethro got a kick out of terrorising all and sundry, but right at this moment he wanted this sorted and the weasel guy looked like he was about to fill his pants. “Monies outstanding?” he demanded furiously.

“Th... that means you own the a... agency money.”

“I know what it means. Not stupid, but I don’t owe no damned money.”

“According to our records, we sent you a letter and an email ten days ago explaining all of this information in detail. I suggest you take it up with them – we were simply following orders... ”

Gibbs left without another word, heading for the Accounts Department, only to find that no one was there yet. Disgusted since it was 0730 and not a soul to be seen, he remembered Greenstreet had said
he’d been sent a letter and an email. Jackasses, everyone in the agency should know by now he never bothered reading emails and as to the letter, he’d been down in Colombia ten days ago, chasing that dirty CIA spook, Jack Canton, so it was probably buried somewhere under a pile of paperwork upstairs on his desk. Pivoting, he turned on the spot and strode back to the elevator.

Exiting in the bullpen, he practically ran to his desk to find that damned letter. Locating it, he perused it rapidly. Destruction of governmental and personal property? WTF was this crap? ‘We will be garnishing fifty percent of your salary for the next three pays until the outstanding monies have been recovered?’

“We’ll. See. About. That,” he exclaimed furiously as he headed for the stairs to the upper mezzanine level, smoke practically steaming out of his ears as he took the stairs two at a time. Entering the director’s outer office, he was gratified to note that Cynthia Sumner, Morrow’s PA, hadn’t arrived yet. Heading straight for Director Morrows desk, he dropped the letter on his boss’ desk as Tom continued to write notes, ignoring him.

Not amused at being snubbed, he growled, “Is this some sort of sick joke? If so, I ain’t laughing.”

Finally, Tom laid down his pen and glanced at the letter before removing his glasses. “No, Special Agent Gibbs. I assure you, it’s no joke. It’s quite a serious situation and we’re regarding it as such. After some investigations it has come to our attention that you have flagrant disregard for personal and agency property. Your destructive tendencies will no longer be tolerated. You’re going to be held to the same standards as everyone else who goes around wilfully destroying equipment and property. If you were a civilian, you could very easily find yourself facing criminal charges, so consider yourself lucky.”

Gibbs looked at Tom as if he had two heads. “You do know, I’ve no idea what’cha talking about. Destruction of personal property? Destruction of agency equipment? Explain it to me!”

Tom sighed, wondering why it always felt like he was dealing with a sulky teen when he had to rein in Leroy Jethro Gibbs.

“Fine - let’s start with Probationary Special Agent Todd’s BlackBerry, shall we?”

“Her what?”

“Her BlackBerry 5810 personal data device. It’s a smartphone – lets her email, text, and record
“Okay... so what?”

“So, that’s five hundred dollars right there.”

“Five hundred dollars? You shitting me, Tom?”

“Absolutely not. That’s what she paid for it a few weeks ago. She submitted the receipt when she put in a claim for NCIS to replace it, since it was destroyed at work.”

“More money than sense if you ask me. Won’t catch me spending such an outrageous amount on a phone, especially since she gets issued one by NCIS.” Gibbs glared. “Besides, if she just bought it, what’s the problem? It’s under warranty.”

Tom looked at Gibbs as if he was an imbecile. “The warranty doesn’t cover bullet holes, Gibbs.”

He shrugged complacently. “So? It got damaged while Todd was on duty. It’s covered by NCIS. Problem solved!”

Tom shook his head. “I don’t think so, Jethro. It didn’t get destroyed during a shootout that was unforeseeable and, therefore, unable to be prevented. You deliberated took personal property off a subordinate and taped it to a target out at the gun range. Its destruction was entirely avoidable, Gibbs. The Accounts Department refused to pay for a replacement after reading the details of the claim submitted by Probationary Agent Todd. Their recommendation was to make you pay for it.”

“Why? I didn’t shoot it. Not my fault that she can’t shoot for shit.”

“First off, you hired her, not me. So I say, ya made your bed - now lie in it! Second, she’s already qualified on the range and in hand to hand combat for NCIS field agent status, which is hardly a surprise since she was on the President’s protection detail, so I’d expect nothing less. It’s her qualifications as an investigator and a profiler I question – but that irrelevant here.

“If you demand a higher standard with firearms than the agency quals, then fine and dandy.”
Personally, I think you should be more worried about her going off half-cocked, ignoring protocol and chain-of-command.” He shook his head because this was like banging his head up against the wall.

“BUT taking a subordinate’s personal property and taping it to a target during a training session on the gun range is not NCIS protocol. You’re not a law unto yourself, Gibbs. You have to follow the rules, too, and while I’m prepared to give team leads a certain amount of creative license, that doesn’t include bullying your team or stealing their property. You follow me?”

“If she could shoot decently, she wouldn’t have shot that damned piece of crap,” he groused, clearly pissed but acquiescing. “That’s $500 – it doesn’t explain why you took half my salary and are threatening to do it for another two pays.”

Tom smirked. “That would be due to the abuse and vandalism of NCIS equipment, Jethro.”

“That’s a pile of horse crap, Tom. When did I destroy NCIS equipment?”

Morrow had to try hard to keep a straight face. “You’re kidding, Gibbs. In the last four months, you’ve gone through ten cell phones alone, plus one computer hard drive you picked up and chucked across the bullpen. That’s taxpayers’ money you’re destroying, Gunny!”

“Bullshit, Director. You’re off your trolley, Sir.” Gibbs used the sir moniker in the same context he would to address an officer, meaning it was NOT a sign of respect. “I may have needed a new phone during the Sergeant Fuentes murder case a couple of months ago, but it was just one phone,” he protested heatedly.

“And scuttlebutt has it that you immersed that NCIS work-issued phone - which we require you as SSA to carry at all times in order to be contactable - into a jar of paint thinner. I think that qualifies as vandalism of government property, don’t you?”

Gibbs had the grace to look somewhat abashed before he objected. “Okay, but that’s one phone. I didn’t break ten and I refuse to pay for them.”

“Gibbs, just how much of a Luddite are you? Do you honestly think you can bash the crap out of your phone, toss it to DiNozzo and tell him to reboot it, and what? It’s all better? Follow me!”
Tom stood up and made his way around the desk to the door of his office before proceeding across the outer office and made his way downstairs to the bullpen. Noting that Gibbs was following him, curious to see what he was up to, Director Morrow crossed to DiNozzo’s work station and went to his filing cabinet. Pulling open the drawer, he beckoned Gibbs over and indicated he should take a look.

Gibbs stuck his head in and found boxes of brand new cell phones. *What the hell? Was DiNozzo selling them as a way to earn extra money?* He knew his 2IC was infatuated by money, seduced by designer labels and fast cars, but he wasn’t expecting this.

“Special Agent DiNozzo orders them by the dozen and since you’re supposed to sign off of requisitions, I’m guessing by your expression of surprise that you never actually bother to do so. Otherwise, you’d know that there’s no such thing as rebooting your phone after you’ve tortured it to death. I decided that I’m no longer prepared to let you wantonly abuse government property without consequences. I never should’ve countenanced this juvenile behaviour in the first place and I’ve decided that you’ll compensate us for you temper tantrums.”

“They have warranties, get ’em replaced,” Gibbs argued mulishly.

“As I explained with the BlackBerry, cell phone warranties don’t cover damage caused by stupidity or wilful malicious damage. Therefore, it’s coming outta your pocket, Jethro.”

He glared at his boss. “Still doesn’t add up to docking my salaries for three consecutive fortnights. How do you expect me to pay my ex-wives’ alimony?” he demanded belligerently. “They’re feral and they’re after my ass!”

“That’s not really my concern, Jethro. Ya know – might want to cogitate some on the concept of karma – what goes around comes back and bites you on the butt! And as to the first question, the extra money I’m garnishing from your pay check above and beyond the BlackBerry and the phones is for the blatant abuse you subject our agency vehicles to.

“Just in the past two months, I’ve had to replace the suspension and shock absorbers on the Charger you have been driving. Not to mention a set of tyres should last at least a year, but you routinely shred them or burn rubber with your suicidal driving and insisting on driving full speed on dirt roads or taking them across country without benefit of four-wheel drive. And let’s discuss the braking system which lasts thirty percent less in the cars you drive than everyone else’s agency vehicle.”

He pondered for a moment. “Thank heavens DiNozzo is gentler on cars than you. Ya might want to let him do the driving in future, for both our sakes.”
“DiNozzo crashed through a set of wire security gates at 20mph a while ago. Didn’t hear you chewing out his ass, Director,” Gibbs objected grumpily.

‘That was while you were trying to prevent a terrorist bringing down the entire electricity grid, Gibbs. You wantonly destroy cars simply because you’re too impatient to wait in traffic on the way back from interviewing a suspect or talking to a witness out in the field. Apples and oranges.

“Even if we’d had to write off that Charger, it was worth it to save the electricity grid and I have no difficulty in justifying it to the budgetary appropriation committee. They’ll think it was a small price to pay for the economic and psychological impact that could’ve ensued if the grid had gone off line. But none of them think that not liking being stuck in traffic during peak hour is a good enough reason for you to trash an agency vehicle, dragging it cross country on one of your so-called short cuts, Jethro.” He frowned at Gibbs, who didn’t even have the grace to feign remorse.

“I know that money doesn’t mean that much to you... and that’s fine. I really don’t care if you shop at Sears and are a tight ass, but when it comes to spending other peoples’ hard earned cash, you’re an ass-wipe. I’m hoping if I hurt you in your hip pocket, you might start being more responsible with government equipment paid for by the taxpayers... and with your agents’ personal belongings.”

Jethro snorted at him angrily – his icy blue eyes felt like lasers trying to incinerate the director.

Tom stared at him contemplatively. “Personally, I’d quit while I’m ahead if I was you; it's time to pay the piper. If you’re determined to piss me off anymore than I already am, I might just be tempted to ask the Accounts Department to tot up all of the hours that you owe the agency when you’ve gone off on your countless coffee runs for the past decade at least. As I’m sure you’re already aware, our IDs post 9/11 have radio frequency chips embedded in them. It would be a piece of cake for the HR bean counters to calculate how much actual time you spend on going for coffee during working hours. One thing I can guarantee you, you’ll end up owing me a hell of a lot more than fifty percent of three fortights pays – a lot more!”

Tom leaned towards the agent, speaking conspiratorially. “There were also quite a few people who thought we should recover the costs of the many counselling sessions and all the stress leave that your charming personality and Attila the Hun leadership style has inflicted on the unfortunates that you’ve cast by the wayside,”

Tom wondered dreamily if he had a shot at claiming back some of the expense of treating Special Agent Stanley Burley’s stomach ulcer and heart palpitations. Wouldn’t hurt to check it out!
Then he remembered the probie, Stacey Donalson, one of a long line of probationary agents who Jethro had chased off the MCRT before DiNozzo had been hired. Stacey had been so green that she burst into tears if Gibbs looked at her sideways. Of course, her skittishness had driven Gibbs crazy, which had created a vicious cycle culminating at a crime scene on top of a multistory build where she’d pissed him off... again. Yelling at her to stop messing up his crime scene and get lost had seen her fleeing the scene in a panic and falling down several flights of stairs; she’d spent several months in a half body cast.

And the Dwight Baker debacle also sprang to mind. The terrified probationary agent was so desperate to escape from the agency car the first time he’d ridden to a crime scene with Gibbs’ in the driver’s seat, he scrambled out of the car at a set of traffic lights. In his desperation to get away, he ran out straight into the path of a bus. Luckily, the bus had been decelerating towards the lights at the time or Dwight’s injuries would have been fatal rather than catastrophic. As it was, Black ended up with multiple injuries, including a fractured skull. The last Tom had heard of him, he’d become a successful motivational speaker on the professional talk circuit, giving inspirational talks about living life to the full, in spite of a colostomy. He’d even authored a self-help book with the ‘engaging’ title of When Life Gives You the Shits – Change the Bag.

Of course, they were just two of countless probies Gibbs had been assigned and smugly chased off, terrified and cowered, begging piteously to be transferred off his team. Many of whom had complained of a bunch of ailments they’d blamed on Gibbs’ delightful personality and leadership style, ending up costing the agency in stress and sick leave. While some proved to be frivolous claims, Gibbs did seem to have an uncanny ability to create in his luckless probies’ a variety of anxiety and stress related maladies including: haemorrhoids, insomnia, depression, anxiety, indigestion/hiatus hernia, sleepwalking, night terrors, PTSD, bedwetting, and IBD.

The exodus of probationary agents had finally ceased not long after Tony arrived from Baltimore. He’d figured out pretty quickly how to protect the vulnerable and callow rookies from the firing line by putting his own body into the firing line. And it wasn’t just the newbies he protected either. Tom had noticed his protection had extended to Vivian Blackadder, too, when Gibbs had been particularly savage. Unfortunately, he hadn’t been able to save her from the stuff-up in Rota, though.

While Morrow the administrator was eternally grateful for the revolving door of rookies being chewed up and spat out by Gibbs every five minutes ceasing, Tom the person had to wonder why DiNozzo was so damned adroit at drawing fire.

Glancing over at Gibbs who was suspiciously quiet, which he conceded was freakishly out of character under the circumstances, Morrow could see him struggling mightily. His face was an odd shade of puce and a vein bulged and pulsed rather alarmingly above his eye – testament to the internal battled being waged to wrangle his inner bastard. Tom could see him trying to rein in his legendary temper and he wondered if finally, he’d found Jethro’s Beta Noire – anticipatory terror of inciting the ex-Mrs Gibbs’ wrath if he wasn’t able to pay his alimonies. He speculated about what their secret was, and if they’d be willing to share.

Anyone who could elicit that degree of submission in the volatile former Marine sniper, despite his
fury was worthy of respect in his book.

Coda:

Gibbs saw the email from Morrow in his inbox and opened it, curious about why the Director was emailing him. Perhaps the whole garnering his wage was just his idea of a bad joke. He rooted around in his drawer for his glasses, putting them on, daring for DiNozzo to make some smart assed comment about his aging eyesight and stated reading…

From:tom_morrow @ncis.gov

To:ljgibbs@ncis.gov

Special Agent Gibbs,

You asked me this morning what to do about your ex-wives’ alimony payments and upon reflection, I decided that I may have appeared dismissive of your genuine concerns and come across as somewhat unsympathetic to your situation. Therefore, after giving considerable thought to your predicament, I have come up with the following helpful solutions for you:

1. Instead of buying your coffee at the coffee cart, bring coffee you brewed at home in a thermos flask. I estimate that you would save at least $10 a day which is $50 a week.

2. Stop buying Abby Sciuto Caf-Pows every 5 minutes. I estimate you’ll save a minimum of $10 a day, probably more much more. There’s another $50 a week saved!

3. Be a brown bagger - bring your lunch from home. If you usually spend $5 per day, then you would save a further $25 a week.

4. Switch to drinking beer instead of bourbon since liquor is much more expensive, even the rotgut, paint stripper you drink.

5. Better yet, give up drinking all alcohol, including beer and drink iced tea or water instead.
6. Refrain from eating takeout dinners every night, not only is it cheaper but healthier for you too. I estimate that if you cook at home three or four nights a week, you could save at least $25-30.

7. Carpool to save on gas bills, wear and tear on the vehicle and repairs. I know that there are other NCIS employees who live in Alexandria too. Share the driving.

8. Build something cheaper than boats in your basement. Since you end up burning them anyway, build something smaller and use less expensive timber.

These tips will save you by my reckoning, at least $150 – 200 per week, maybe more, since I suspect you probably spend double my estimate on coffees and Caf-pows per day. I’d tell you that you that you could also save money by not buying your team lunch so often, but now that I think about it, you never let them eat lunch, let alone buy it for them, so never mind – ignore that.

Plus, you should give serious thought to compiling a list of eligible men to introduce to the ex-Mrs Gibbs with the view to finding then a new husband. That way you don’t have to pay any more alimony. No, on second thoughts, with your social skills perhaps you should consider engaging a professional matchmaker – think of it as an astute financial investment.

Oh and Cynthia, when she saw my calculations had these very helpful cost cutting tips for you too:

Use public transport more often and walk or cycle short distances.

Save and reuse plastic sandwich bags and paper lunch bags.

Tie soap remnants in a piece of nylon net and use as a body sponge.

Crumpled up used aluminium foil is ideal for scouring pots and pans.

Paper towels are expensive. Use washable cloth dish towels instead.

Wash and reuse sarran wrap.

If I could offer one last pearl of wisdom, I’d suggest that you think long and hard before embarking upon another injudicious marriage – alimony is expensive and you can’t afford it. Not unless you’re going to cease and desist in beating the crap out of your cell phone and begin driving more responsibly.

Oh and Jethro, no there’s no need to thank me. You’re very welcome. As your director I consider it the least I can do for an employee who has gotten themselves into financial strife due to imprudent and impulsive actions. Just say the word and I’ll arrange for you to attend anger management.

Regards
After reading the ‘helpful’ tips, Special Agent Gibbs was in such a rage he picked up his computer monitor and hurled it across the room, storming out of the building. When he returned over an hour later, he found an invoice on his desk for $150.00 for the replacement of a plasma screen computer monitor, signed by Myron Greenstreet. Staring at the bill, Gibbs felt a burning in his gut, the pain radiating up his sternum. Looks like between his ex-wives and Tom Morrow, he might be developing a Stan Burley Special. What was next – palpitations and panic attacks?
Chapter Summary

The MCRT meet a Jane Doe who was buried alive and who has amnesia. The only thing she knows is there's a bomb on a Navy ship. Later on...the Bombe Fermentdeckung Fabrik’s BFF are not at all happy about their building making the acquaintance of a bomb and won't be taking it lying down.

Chapter Notes

A/N Thank you to everyone who left comments for the last tag – I appreciate all your thoughts. No need to issue a warning for this one. It is not a humorous tag and is longer than average (for the series that is) altho it’s still far shorter than some of my longer chapters (16,00+ words). Just saying… you might wanna grab a coffee or a cuppa tea.

Thanks go as usually to the rest of the Trippies for their contribution and to Arress for the superfast Beta and her extra suggestions including the title. Thanks for the extra technical assistance to RCEpups - you guys are all awesome. Oops…I almost forgot that the idea for this plot came about after a suggestion by Acrwdo1 which I’ve taken and tweaked a bit. Might still use the original idea later… Anyway thanks everyone :D

See the end of the chapter for more notes

Series: There’s Always Tom Morrow

Title: Damages

Episode: Left for Dead

Characters: Tom Morrow, Michelle Lee, OC Joe Landers

Tom Morrow was waiting for Joe Landers, head of Legal, to report to his office for a meeting to try to figure out how they were going to handle this latest crisis. Lately, there had been a lot of crises, way too many fires to put out. For example, the bomb on the USS Foster that had a lot of people up in arms and the fiasco with the Marines after Gibbs bulldozed his way onto a training flight and dragged DiNozzo along, too. Gibbs was technically still a reservist, but his second in command was a civilian who also had zero jump training, yet he hauled him along on a lame-brained and unnecessary night jump. Unsurprisingly, all hell had broken loose when he’d been pushed out of the plane, landing far off the target zone.
The only silver cloud in that particular SNAFU was that the agent somehow managed not to break his neck. Trained paratroopers were still shaking their heads over it, saying it was a miracle. Morrow figured DiNozzo was half feline.

The damage to reputations, to the agency, and the MCRT that all these crises, these fires, had caused was immense though. Marine and Navy personnel had contacted him, requesting that Gibbs’ team not be assigned to their cases since they had huge concerns about how the cases would be conducted. The truth was that Gibbs was now seen as a loose cannon by many people; they felt he was clearly unstable. Unfortunately, Tom was having a hard time denying those accusations, even before this latest crisis.

Then there had been the matter of the worsening relationship with their sister agencies, lately it was the Secret Service, FBI, and CIA that Gibbs had been pissing off. Gibbs was an equal opportunity employee when it came to pissing off the various alphabet agencies - Tom had to give credit where it was due. If it was a federal law enforcement agency, he despised them on principle as far as Tom could see. Thought they were incompetent, mired in bureaucracy, and lived to thwart his obsessive drive to solve the case at any cost. Sometime Tom wondered what had possessed Gibbs to work for NCIS, since it was a federal agency too – perhaps he’d have been better off as his own boss – a PI or a body guard. Morrow figured he certainly would have been.

Still, all of that paled into insignificance, including his musings about his infuriating agent in comparison to this latest FUBAR from Gibbs and his team though. Their agency was now being sued by a highly respected multinational corporation Bombe Fermentdeckung Fabrik’s and a partner of the US Navy to boot, which wasn’t exactly a good look for NCIS or the Navy. The law suit was alleging gross negligence leading to BFF headquarters being blown up and severely damaged by a killer who NCIS supposedly had in protective custody at the time of the bombing.

There had been casualties – two dead and eleven wounded in the explosion. The only silver lining barely detectable by Tom in this storm cloud was that the blast was highly concentrated since the bomber, who was one of those killed, was also the company bomb maker and had thankfully limited the extent of the explosion. The building was badly damaged, but structurally could be repaired – at a cost. The human cost wasn’t as easily fixed though. What a freakin’ mess!

Morrow was expecting Lander’s knock on his office door. Cynthia was off sick today, which meant there was no one to announce people’s arrival in the outer office. So, he was quite surprised when instead of Joe entering his office, it was a young Eurasian female smiling somewhat nervously at him as she approached his desk. He identified her as one of the young up and coming lawyers in the Legal Department, Michelle Lee, who’d joined the agency a couple of years ago, fresh out of Harvard Law School.

“Joe had to leave suddenly, Sir,” she explained apologetically. “His wife went into labour unexpectedly - six weeks prematurely. But he sent me to do the briefing in his stead, since I’ve been
helping out on this case, reviewing the evidence. He said to read you in on the situation for him as it currently stands.”

Tom smiled. “Good. Well then, have a seat and let’s get started shall we? SecNav wants a sitrep later today, so where are we at?”

Michelle sat down at the conference table, putting her leather satchel and her laptop on the table and began organising herself, settling in before beginning the briefing. She closed her eyes momentarily and took a deep, deep breath. Morrow figured that wasn’t a good sign in a lawyer, even a baby one, nervous about briefing the director.

“So, it’s the boss’ opinion, and I have to concur, that the case against NCIS doesn’t look good, Director. First off, you need to suspend Probationary Special Agent Todd and Senior Supervisory Special Agent Gibbs, if you haven’t done so yet.”

Tom frowned. Joe had recommended that he place Todd on suspension without pay and strongly suggested that he should also consider doing the same with Gibbs, but SecNav had vetoed suspending Gibbs.

“Why is that, Michelle?”

“Well, playing devil’s advocate here for a moment, Sir, we need to cut our losses, because Todd, maybe even Gibbs, are probably beyond redemption.”

Tom felt his stomach drop and he eyeballed the lawyer sternly. “Explain it to me... and no legal mumbo jumbo, please.”

“Yes, Director.” She nodded, wondering if her boss had deliberately manoeuvred her into this briefing since she was going to be the bearer of all the bad tidings and not him. Although she’d watched ER – there was such a thing as false labour. What did they say about shooting the messenger?

“How BFF’s legal team will most likely spin this to the jury - NCIS already had the killer in protective custody. Plus, she’d made threats to blow up a Navy ship repeatedly, so we had been forewarned of her intentions... ”
“No, she said that there was a bomb on a Navy ship, which isn’t the same thing,” Tom corrected mildly. “She didn’t make threats. And there wasn’t a bomb on board a Navy ship, it was a mock-up of a Navy ship on the BFF campus.”

“Close enough, especially the way the plaintiff will phrase it and the jury will see and hear it, Sir. Plus, McNeil is dead and Todd is the main witness to what she actually said, so that’s not great news for us. What with Probationary Agent Todd’s credibility issues as a witness, to wit, being fired for ignoring fraternisation rules in her last job... ”

Tom interrupted her again. “She resigned, Ms. Lee.”

“Yeah, right. Only because the powers that be would have kicked her out on her butt anyway. We all know she simply got in first to protect her record. ‘Resigned’ looks so much better on a CV than ‘fired’.”

The lawyer made an involuntary moue of distaste and Tom wasn’t sure if it was because of moral outrage, or merely a lawyerly one of antipathy relating to Todd’s credibility as a witness.

“She broke off the affair with her lover to try to save her career, but only once NCIS began their murder investigation, but see, here’s the problem. It wasn’t ‘til AFTER Major Kerry’s death and the attempt on the President’s life when it was clear she wouldn’t be able to keep it quiet that she suddenly discovered her principles and resigned. Her first impulse was to hide her affair. Hardly creates an impression in the jury’s minds of an ethical and honest federal agent – or a trustworthy witness for that matter,” Michelle observed cynically.

Tom smiled internally at the self-righteous indignation that only the very young and idealistic are capable of carrying off without seeming too obnoxious. Much as Lee’s analysis and recounting of the events was harsh and definitely unflattering, he had to admit that it was consistent with how it would be portrayed in court by the plaintiffs.

“But to return to the case, she essentially abducted Jane Doe, AKA Suzzanne McNeil, from the hospital – insisting that the woman lie to the doctors, who’d refused to discharge her until she’d regained her identity. So, Todd provided her with a false identity – her cousin’s, and coached the killer to lie to her doctors so Doe could be discharged into her custody.” She looked at Tom and shrugged.

“Devil’s advocate, Director – on the stand they’ll portray her as a liar, someone whose word can’t be believed, and that’s going to damage her credibility even further and, therefore, the agency’s as well. How do I know? It’s what I would do – pretty standard courtroom tactic. To not do so would be
The plaintiff’s attorneys will likely point out that Todd refused right from the beginning, to consider the possibility that McNeil was anything other than a victim, which as a profiler she shouldn’t have done. They’ll also be quick to highlight just how much time she spent with her, one on one, or that despite the fact that McNeil slipped up and revealed she knew the victim’s cause of death, Todd failed to notice it when she should have.

Michelle paused to take a sip of her coffee, pulled a face that Morrow interpreted as her beverage being cold and carried on as she tucked a strand of long black hair behind her dainty ear.

“They’ll paint her not only as a very inexperienced investigator and an incompetent profiler, but arrogant in failing to listen to her superiors, who were far more experienced. They’ll have the jury questioning why NCIS hired her initially and then continued to let her work so independently, which will damage the agency’s credibility. They’ll demand to know why a trainee wasn’t being closely supervised. It could end up costing us a lot of money in terms of damages awarded against us if we lose,” Michelle cautioned somberly.

“But she was a probationary agent, so surely the jury will cut her some slack?” Tom protested, wondering now if he should have had the SecNav sit in on this meeting. Even as he was defending his agent, it occurred to him that BFF’s legal team would dig into her past performances since joining the agency and question why she’d been allowed to stay on the team and work with such minimum supervision.

“Sir, Todd was cautioned on numerous occasions during the course of the investigation to remain sceptical of the Jane Doe woman and her story, but she didn’t even try to maintain detachment. There’s inexperience, which is excusable, and then there’s criminally arrogant, which is not. As far as Todd knew, a Navy ship was going to be blown up, placing potentially hundreds if not thousands of US Navy and Marine personnel lives in imminent peril. Yet her main priority throughout the case, right up to the moment of the bomb exploding, was to find out Jane Doe’s real identity because she felt sorry for her. To that end, she wanted to release Doe’s photo to the media until Special Agent Gibbs vetoed it because he didn’t want the person or persons that attacked and buried her to know she was still alive.”
“But Todd’s only been with the agency for a short time – she’s a rookie,” Tom argued, clutching at straws again.

“Maybe... but the lawyers for BFF are going to ask her, under oath, if she’d still been serving in the Secret Service on the President’s protection team, would she have been so gullible about Suzan McNeil. Would she have put her empathy for her and her own desire to discover Doe’s identity before protecting the life of the POTUS. Pretty sure she’s going to have to answer with a HELL NO!, unless she wants to commit perjury.”

“And then they’ll want to know why she turned into a cream puff when it was our brave service men and women whose lives were on the line,” Tom observed wryly.

Michelle nodded soberly. “Exactly. It’s going to look very bad, Sir. The plaintiff’s lawyers are going to have a field day ripping her reputation apart.” She shuddered grimly and shifted slightly in her chair. “You know how it is. Every minute detail examined, every action, thought, and decision she made is going to be put under a microscope and analysed with the benefit of hindsight. A bloodbath!” she concluded.

Tom had to admit that it was looking pretty dire for the probationary agent. Although he’d been defending her to Lee, he’d always been less than thrilled about Gibbs hiring such an inexperienced investigator for the MCRT, and one who’d resigned due to sexual impropriety. He was aware it was always going to be Todd’s Achilles’ heel, especially when it came to giving evidence in court, if smart lawyers did their homework. It sure looked as if it was going to come back and bite her on the ass, the agency too. Gibbs’ impetuosity could very easily end up costing them a lot of money in damages if the jury ruled against them.

Michelle seemed to have been pondering something else before she decided to proceed. “BFF is going to make a big deal out of the fact that McNeil was in our custody when she was allowed to go back to her former office and gain access to highly volatile explosives; explosive material which caused a great deal of damage to the building, killed her and Stephen Brauer, and injured a number of its employees. DiNozzo, even right up to the end, questioned how McNeil knew where her office was when she was supposed to have amnesia. Probationary Agent Todd’s response to his quite reasonable questioning of her behaviour was highly insulting, bordering on insubordination.

“Todd, to the bitter end, was still in denial. She insisted upon seeing McNeil as a victim, which circumvented her ability to correctly interpret the available data or at least have doubts and proceed with scepticism. Sure, the penny finally dropped – but too little, too late. People died, people were injured, the building was badly damaged, and there’s no way to get around that.”

Tom nodded. “Okay, so I’ve already suspended Probationary Agent Todd without pay. Sounds like irrespective of the outcome of the lawsuit, this case was the death knell for her career – not just in
NCIS, but in law enforcement generally.”

The lawyer nodded. “Probably, Sir, unless a miracle happens.” Privately she figured that would have to be an Act of God which took out the whole of the BFF Corporation – here and in Germany- in order to save her, or NCIS either. The most expert opinion in the NCIS Legal Department and that of several of the judge advocates from JAG was that NCIS were royally screwed!

Sighing regretfully, since he didn’t like having to be the one to end a nascent agent’s career, Morrow turned his mind to other matters. When the ship is in danger of sinking, you jettison everything you can’t save and focus on what is still retrievable. Pragmatically, Caitlyn Todd was gone and he needed to try to save the rest of the agency, hard as it was to make the tough decisions. It was after all why he got paid the big bucks and got to sit in the big chair with a fine view of the Navy Yard.

“So, explain to me why you feel that it’s necessary to suspend Gibbs as well. I’m going to need some damned good reasons in order to convince SecNav it’s justified. He and Gibbs go way back,” Tom informed her dourly.

The young attorney looked longingly at the director’s coffee maker, probably thinking that they had a long way to go before they’d finished the briefing. Tom snorted. “Help yourself, Ms. Lee.” He gestured at her empty mug and his coffee machine.

Not needing a second invitation, she jumped up, clutching her mug tightly, and made her way to the coffee machine before pouring herself a cup. Smiling gratefully at him, she offered, “Can I get you one too, Director?”

Tom considered her proposition seriously, before he sighed and accepted. “Thank you, I’ll have one too. My wife wants me to cut down on my caffeine intake, but she doesn’t have to deal with Gibbs’ MCRT and a lawsuit, plus an impending meeting with SecNav.” He accepted the full mug of his steaming brew, sniffing the aroma appreciatively. “Right, where were we?”

“Discussing the suspension of Supervisory Special Agent Gibbs.”

“Okay, make your case,” he ordered the legal officer a little gruffly.

“Right, well, Gibbs assigned Probationary Agent Todd to interview Suzzanne McNeil at the hospital. After receiving her initial sitrep via the telephone, he knew that she was already getting too involved with Jane Doe, as she still was at that point. He specifically mentioned to Agent DiNozzo
that Cate said ‘her eyes...they just pleaded for help’ and observed she’d bonded with Doe before she’d talked with her. Right then he could have - no, he should have taken steps to ameliorate the situation,” Lee opined disapprovingly.

“Then when they were at the hospital, Todd announced that she was taking Doe home with her under protective custody to recover from the traumatic retrograde amnesia.” The young lawyer paused, looking penetratingly at Morrow. “My understanding is that probies don’t get to call the shots in investigations? That the team lead or, in their absence, the SFA assigned the tasks to be carried out.”

Morrow nodded in agreement and said, “It is,” even if he gathered it had been a rhetorical question.

“Okay... well, back on track. Not only did he not veto it, but he was aware that she wilfully lied to the doctor at the hospital about the medical status of a patient because he called her out on it. Yet he did nothing to stop her. At that point, as her supervisor, he became an accomplice to the deception.” She shook her head at his negligence and stupidity.

The thought occurred to Tom that perhaps Todd’s eagerness to break the law and ignore rules was what Gibbs admired about her. Flouting fraternization rules was hardly what most people would consider to be a desirable trait in a future employee. Did he recognise a kindred spirit in her rule breaking, since DiNozzo as a cop, was a pretty straight shooter?

That break and enter of the eco terrorist’s abode having been typical of how far he was willing to overstep the mark in extreme circumstances and it was a typical cop move. While he pushed the envelope mentally, he rightly didn’t believe in colouring outside the lines. Not when it came to law enforcement. Tom focused back on what the young lawyer was saying.

“Yet as her senior supervisory agent, Gibbs failed to bench her, he didn’t censure her, or give her to a different assignment on the case and have someone else take over the protective custody duty. And BFF’s lawyers are going to demand to know why not, Director. Hell, I’d also like to know that,” Michelle declared rather heatedly.

Tom winced. *Me too, Michelle, me too.* “Okay, so that sounds bad.” Not as if they would be able to claim they didn’t know the score about her getting too attached to the Jane Doe, as Gibbs had already acknowledged it.

Michelle was now staring at the screen of her lap top, checking on some facts before continuing to deliver her shocking legal perspective.

“So, our investigation shows that for some reason, although Todd is essentially untrained as an investigator and has only been on the job for three months, she already has form when it comes to ignoring the chain-of-command. And yet she was never disciplined, never even reprimanded. Similarly, there have also been at least two other cases where Probationary Agent Todd became overly involved with individuals in cases the MCRT investigated since she joined the agency.

“One of which resulted in a bomb exploding on board the USS Foster; which isn’t going to look too good in court,” she observed somewhat unnecessarily. “So, we wouldn’t be able to claim that we
weren’t aware of her tendency to get too emotionally involved in cases and letting it affect her judgement negatively.”

Lee looked up from the laptop again and shot a serious look at the director. “Our Legal Department’s modelling of the plaintiff’s trial strategy predicts that BFF’s legal team will also set out in court to systematically destroy Special Agent Gibbs’ credibility and, to be candid, he and the agency have given them plenty of ammunition to do so, Director. There’s an extremely unfortunate piece of footage from the security tapes at BFF, for example, that won’t help at all, Sir. You’d better take a look,” she advised the director glumly. Honestly, talk about shooting yourself in the foot!

She fiddled around with her laptop before calling up a file. When she motioned for the director to direct his attention to her computer screen, he pulled the computer towards himself and manipulated the keys before moving it aside. He picked up a remote control and pointed it toward his giant screen on the wall and Michelle’s footage began playing before their eyes, as it would in court. It showed Special Agents DiNozzo and Gibbs in the foyer of a rather modern building and Gibbs was obviously not happy. But then Tom concluded, that was nothing new – the former Marine had permanent emotional constipation, or else he had chronic and severe haemorrhoids.

“This was the foyer of the BFF building just an hour or two prior to the bomb being detonated,” Michelle explained the context of the footage briefly.

Tom nodded. It appeared that DiNozzo was giving Gibbs a sitrep and either he didn’t have the information that Gibbs demanded or he’d made some sort of flippant remark (at least in Gibbs’ view). Whatever the catalyst, the result was highly unfortunate since Gibbs assaulted his senior field agent right there on CCTV, whacking him on the side of the head, just above the right ear. The normally unflappable NCIS agent looked momentarily shocked, although he valiantly tried to carry it off, rearranging his hair casually as he regained equilibrium.

Unluckily, having the whole incident caught on tape meant it could be analysed minutely and the Legal Department, obviously in anticipation that the BFF legal counsel would do just that, had gotten in first. No doubt to learn how much collateral damage they needed to be prepared for in court since his legal team were a bunch of extraordinarily skilled professionals. Slowing down and freezing the footage, it was stark by the expression of shock, mortification, and anger on the special agent’s face as he was assaulted by the man Tom knew that he considered a mentor and, until recently, his trusted partner.

Damn it! He’d had Gibbs on the mat numerous times over his sudden head slaps that had started cropping up after the mummified remains of Lieutenant Mark Schilz had been discovered. It was obviously not only against NCIS protocol, but also Department of Defence guidelines, but Gibbs, with the staunch support of SecNav, brushed it off as a management technique – a wake-up call he’d called it. According to him, a slap to the face was humiliating (Tom figured his three ex-wives had probably provided him with plenty of experiential research opportunities), but a slap to the back of
the head was merely a wake-up call. Tom had called it assault and told him so, stating it was humiliating to treat grown adults, highly trained professionals, in such an infantile manner.

The trouble with Gibbs’ half-baked philosophy, apart from it being assault, unlawful, and against agency and DoD rules, was that DiNozzo didn’t look like he was asleep or goofing off, nor was he a young green agent. Then there was the fact that Gibbs was obviously angry – the legal eagles had freeze-framed footage of Gibbs’ facial expressions as well. Getting in before the opposition, undoubtedly. The SSA was clearly furious and just as clearly out of control. He certainly didn’t look like a calm and competent team leader, rather he looked like an impatient, inept bully taking out his anger issues on someone who couldn’t fight back.

Finally, and probably the most damning point that Tom could see, Jethro hadn’t held back in his delivery at all. Nor was the delivered blow a slap to the back of Special Agent DiNozzo’s head, but had clearly landed above his ear. Tom was pretty sure that it could’ve ruptured his eardrum or worse, damaged his hearing and threatened his career as a field agent.

Tom shook his head, disgusted. Frankly, while Gibbs seemed to think that whacking someone upside the head as he called it, was harmless and not humiliating, Tom begged to differ – on both counts. There were several extremely delicate and vital structures that were located in the temporal region of the brain and at the back of the head that were critical to maintain life support, not to mention the vision processing centre of the brain was also located there. It was stupid and criminally negligent to go around whacking people there and, in his humble opinion, highly humiliating, and he was pretty sure he wasn’t the only one to think it either.

After Michelle played the footage several more times, he was mentally assessing how this would play out in court and concluded that Gibbs was an idiot! Bad enough that he openly flaunted the agency regulations and assaulted his subordinates in the bullpen, but the sheer arrogance of him doing it out in public was going to be very costly. He tried to think of anything they could use to mitigate the bad impression that this was going to cause the agency. It could end up costing them a massive amount of money, not to mention a very big black eye in terms of their reputation. As director he was furious, but also very mindful of his responsibility to mitigate the damage done, so he desperately grasped at straws.

“The fact that Special Agent Gibbs is a decorated Marine, a war veteran, has to count for something in terms of his reputation, surely?” he questioned, despising himself for how querulous he sounded, even to his own ears.

“Actually, the plaintiff’s legal team are going to be able to turn that to their own advantage too, should they decide to,” she said, ignoring his groaning. “Gibbs, as you pointed out, is a Marine, awarded a Silver Star amongst his other commendations. He’s a NCO – a gunnery sergeant used to commanding other Marines. He’s trained by the Corps to lead the very best this country has to offer, so there’s no excuse for his shortcomings as a team leader - no room for us to argue that he didn’t know what he was doing.
“The fact is, he routinely ignores the chain of command, both within his team and outside of it. The head slaps are a prime example of him thumbing his nose at the regulations and protocols of the agency. It’s also an example of ignoring chain of command within his team as he does it to his second in command in front of the junior agent, but never head slaps his junior agent. Double standards much? Then there’s the fact that he continually plays the probationary agent (with no investigative training) off against his second in command who has years of experience. The competition seems to be aimed at winning his favour, which apparently includes handing out plum assignments, such as taking part in interrogations and getting to accompany him out into the field.

“In terms of sheer number of cases investigated, his 2IC probably has more investigatory experience than he does, by the way, since it’s my understanding that cops work on multiple cases at a time. This making team members of unequal rank and experience compete for his favour isn’t something that would be condoned or tolerated by the Corps, so the litigants will paint him as a power obsessed, hot head who’s more concerned with creating a personal fiefdom for himself than competently doing his job per his training.”

“He’ll cite his almost perfect solve rate, which is the best in the agency,” Tom stated.

“And the lawyers will cite the conviction rate of the MCRT, and the deficit between the two when his cases get thrown out of court on technicalities,” Michelle shot back primly.

Tom looked at her steadily, wondering if all this was really likely to be raised or if the Legal Department were just being pessimistic.

As if she could read his thoughts, she smiled at him humourlessly. “Joe ran these issues by several litigators who specialise in civil suits. We’re going to contract them as expert legal counsel for the court case if we go to trial. We also consulted a judge advocate since Gibbs was in the Corps – plus is still a reservist. And we interviewed several NCOs - gunnery sergeants and master sergeants, as potential expert witnesses to get their opinions on his leadership practices - pre and post Corps.

“Which, strangely enough, have shown a marked difference ever since Probationary Agent Todd joined the MCRT. The head slaps and ignoring the chain of command and letting her make crucial decisions about cases and assignments that she isn’t qualified to make, all seem to have happened since she joined the team.”

She let the director process this for several minutes before continuing to hammer more nails into the agent’s coffin. “This video of him head slapping his 2IC raises several more issues,” the lawyer declared cautiously.
“Good Lord, isn’t that enough?” he muttered despairingly.

She shrugged. “BFF will milk as much out of the footage as they possibly can, especially with the jury. They’re smart enough to know that the more times they get to show it to the jury, the more they’ll retain it in their consciousness and the higher the damages they’ll award against us.”

Tom thought it was a really bad sign that she wasn’t even pretending that there was even a small chance of them winning.

“You see, the plaintiffs will use the video to point out that Gibbs is not averse to correcting his team, correcting them emphatically. That he was prepared to go so far as to use methods which were unlawful and in direct contravention of procedure to ensure his team complied with his standards. They’ll depict him as a team leader who’s uncompromising, tough, impossible to please, and doesn’t care what others think about how he disciplines his team. Then they’ll point out the massive inconsistencies between Agent DiNozzo’s actions in him making a harmless joke about Stephen Brauer’s PA (and yes, FYI, we interviewed him) and Probationary Agent Todd’s performance.

“They’ll explain in minute detail every single one of Todd’s infractions, mistakes, acts of insubordination, and failures to follow the chain of command and ask why. Why would a leader who’s such a hard ass boss with DiNozzo, not discipline Todd at all - despite all her mistakes and insubordination? Why would he be so inconsistent? By the way, they’ll go back and establish that he’s also doggedly authoritarian with other male agents he’s had on his team, such as Stan Burley, yet he’s inexplicably permissive with Agent Todd. No record of any disciple or consequences, even for serious infractions; not even a head slap which he describes as merely a wake-up call.”

Lee rolled her eyes theatrically and Tom smothered the slightest of smiles. Apparently, he wasn’t the only one who thought that was a ludicrous statement.

“They’ll produce a glossy, multi-coloured graph showing how many times he should’ve responded and didn’t, and they’ll ask the jury why that is.”

Tom sighed. Michelle was doing an excellent job of playing devil’s advocate, but something told him that she had yet to deliver the KO blow. Bad as the comparison between the two agents was, with Todd’s performance versus the senior field agent’s, he was sure there was a coup de grace that she had held back. Lawyers loved to catch people with their guard down, and he braced himself for its delivery.
“And?”

“And worst case scenario - they know about the scuttlebutt going around NCIS regarding Gibbs’ real agenda for hiring her is because he’s interested in Todd sexually. BFF will argue that since all this started with Todd’s hiring, it appears that Gibbs may have highly questionable reasons for why he’s favouring Todd, such as sexual intent or favours. They could, for example, insinuate that he may have certain nefarious expectations, such as setting her up so that he can use her failures to force her into a sexual relationship.”

Worst case scenario indeed! Tom felt old and beaten. He’d failed the agency in not standing up to Gibbs, who in retrospect was wildly out of control. Morrow hated politics, but the truth was that he’d surrendered control of his agency to a power hungry politician in SecNav and a power hungry maniac former Marine, essentially letting him do whatever the hell he wanted, even when it violated policies and procedures. Once this FUBAR law suit was done with, if the agency still existed of course, it was probably time to consider his future.

Seeing how defeated he looked, Michelle sighed. She knew that the director needed to know the harsh truth about the case. She just wished that someone else got deliver the bad news. This must be what it felt like being a cop or an agent and having to go and tell the family that their loved one was dead. Honestly, why would anyone want to be an agent or cop? Desperate to offer some sort of placation, she felt like she was grasping at straws. Lee was pretty sure she’d scuppered any long-term advancement at NCIS, since no one liked the bearer of bad news, and this wasn’t just bad news, it was catastrophic news. Feeling powerless, she decided to just get it over and done with, then go back to her office and start updating her resume.

“Sure, we’re leaving no stone unturned in turns of modelling worst case scenarios, but this is also pretty standard SOP, Sir. They’re going to hit us with the fact that Gibbs should’ve known Todd was going to get too emotionally involved in the case because she had done so with the other case. One that also involved a bomb that exploded and left the Navy with a massive damage bill.

“Co-incidentally or not, that case also involved her deciding to assign herself to a crucial investigative task, which should’ve been given to someone more experienced. And look how well that turned out the first time. There should’ve been some reaction to her performance, yet it went unchallenged by her superiors. Not good,” she observed succinctly and perhaps superfluously.

“And unfortunately, the parallels between the cases don’t end there, Director. She got into trouble in the case of the USS Forster because she wasn’t able to separate her own religious convictions from her profiling when she discovered Seaman Russell McDonald was Catholic, and she wouldn’t countenance him committing suicide. So, she was overly focused on proving that he hadn’t killed himself. Similarly, one of the reasons she decided that Jane Doe wasn’t dangerous was because the killer told her she had memories of being in church. Another tragic example of her personal bias – her religious beliefs - leading her to draw faulty conclusions, with disastrous consequences.
Morrow grimaced. “Gibbs will claim that she’s a rookie and he was letting her learn by making mistakes,” the director claimed, as he rubbed his face with his hand, wishing this was all a horrific nightmare. Even as he uttered the words, Morrow knew how ridiculous that statement was, and so would the hardworking taxpayers who would have to pay for those mistakes. He could feel a stress headache starting up and wondered if it was too late to book in with his favourite masseuse and head it off before it turned into a full-blown migraine.

Lee snorted, letting him know her thoughts about it too. “Of course he will, and we’ll argue that point of view too. Because we have to make some sort of case, obviously, but it’s unlikely to garner much sympathy with the jury. Yes, newbies have to learn, but the plaintiff’s lawyers will argue that they should also be under close supervision while doing so, and that it needs to risk managed. They’ll argue they should be allowed to make minor mistakes that don’t involve explosives and public safety. They’ll also point out that she hasn’t learnt anything from her previous mistake, so that effectively negates the effectiveness of that line of reasoning.”

She sighed, since no lawyer relished the thought of losing a case, and they were facing a crushing loss. There was yet to be a decision made about whether they should even go to court or be considering settling out of court, but it was looking increasingly likely that it would be the recommendation of the Legal Department.

Tom ground his teeth in frustration. It was time to take a stand and tell SecNav to take a hike. Gibbs, for some unknown reason, had chosen to let Todd ride roughshod over him as team lead. He handpicked her... because she had balls and was a profiler... although honestly, Morrow failed to see tangible evidence that she actually had any skills as a profiler... at least the sort that NCIS required. The director agreed that she had balls, but that wasn’t always such a good thing – not on its own, and Jethro failed to keep her on a leash. Now, he was going to have to bear the consequences of his actions, one of which was that Morrow had no choice but to suspend him too. Time to demonstrate to BFF, the public, and everyone in the agency, including Gibbs, perhaps especially Gibbs, that he was not above the law. He had to obey rules just like everyone else.

Epilogue: Four months later

Joe Landers metaphorically wiped his brow, sighed deeply, uncrossed his fingers and toes, rubbed his lucky rabbit’s foot, vowed to buy a lottery ticket in gratitude for finally settling the law suit out of court. The last few months had been incredibly stressful given the ramifications if they hadn’t managed to settle with BFF. The way that juries awarded damages in civil suits these days, made it really risky to chance going to trial in this case, so this was definitely the lesser of two evils.

They’d finally been successful in persuading SecNav of that highly unpleasant fact of life after Gibbs had to be deposed at an evidentiary hearing. They’d even employed a jury specialist and witness
coach to work with him to try to mitigate any damage he might cause giving evidence. Pretty unsuccessfully. He’d swung between passive-aggressive refusal to answer the BFF attorneys’ questions and explosive bouts of anger where he tried to intimidate them and make it all go away.

While this was his usual modus operandi to deal with issues he didn’t want to confront, they weren’t a viable option in this situation. The jury expert’s opinion was that if Gibbs didn’t pull his head out, NCIS would lose, which wasn’t exactly a revelation, but that they would likely have astronomical damages awarded against them definitely had been – at least it had been to SecNav. The truth was that BFF could easily argue he was a loose cannon with anger management issues and that the agency was fully aware of them, and let him carry on regardless, without imposing any controls upon his behaviour. Clearly, now it was a matter of mitigation and SecNav and the Secretary of Defence conceded that there wasn’t really any other choice but to settle the suit out of court.

Finally, the details of the settlement were done and dusted and Joe was going to take his long-suffering Legal Department out for a well-deserved dinner. Now they could get back to just dealing with mundane matters like obtaining search warrants, preparing briefs, and prosecuting cases which ended up going to trial. He could hardly wait! He just had to deliver that employment contract to Director Morrow’s office as he’d requested and then he was going out to celebrate.

~o0o~

Tom Morrow watched Gibbs stalk out of his office, resignedly. He’d given Jethro a chance, but the former agent wasn’t in the mood to compromise, so he had no choice but to show him the door. It was mandatory, even SecNav and SecDef were adamant that Gibbs be forced to sign a new employment contract before he was allowed to return to work again. They required that he sign a contract agreeing that he would uphold all NCIS rules, regulations, protocols, and procedures. It specified that he must uphold the chain of command at all times, that he would refrain from all insubordinate behaviour, nor would he incite or encourage it in his subordinates, and that he cease using any type of corporal corrections in subordinates, not limited to but including head slaps.

Gibbs had read his new work contract and hit the roof, claiming it was an attempt to interfere with how he ran his team and ran contrary to the carte blanche he’d been promised. Tom had snorted at the obtuse man raging in his office against the powers that be. Of course it was a much needed attempt to muzzle him. He was damned lucky to get a second chance – if it had been anyone else, they’d have already been out on their ass.

After the absolute balls up he’d let happen and the amount of money he’d cost the agency and the tax-payers, they had no choice but to make sure it didn’t happen again. The fact that Jethro refused to acknowledge or accept that he bore a lot of responsibility for the harm inflicted in this case was indicative of his stubbornness. Morrow felt it was also the natural progression of that idiotic Rule #6: Never apologise, which seemed just a hop, skip, and a jump from the current situation – never accept responsibility for anything that went wrong.
The truth was that two people had died and almost a dozen were injured, some seriously. One of the security guards was a quadriplegic and another was in a vegetative state. Most had permanent disabilities and while nowhere near as momentous, the structural damage to the building was significant. There was no sweeping it under the rug – and looking to the future, there had to be new protocols enacted to try to prevent it occurring again. And there must be consequences for what had occurred, of which Caitlyn Todd had been the inevitable first casualty. Tom was sad that she had to go, but there had really been no other choice.

Her career as a law enforcement professional was over without a doubt. He’d heard she was thinking about teaching feminist theory at a community college in Indiana or personal protection classes for women. Although she’d made a rookie mistake, the truth is if she hadn’t been so insufferably sure of herself, if she’d been willing to acknowledge she didn’t know what she was doing, then she might have taken direction from people who did. And then he just might have gone in to bat for her.

Of course, he still wasn’t sure why Gibbs had allowed her to come in and throw her weight around, although some scuttlebutt in the DC office was that he liked domineering women and he fancied her. Since he had a score of ex-wives who were reputed to be royally dominant bitches, there may have been some truth to the theory. In the end, it was academic and she had been given her marching orders. Fortunately, as she was still in her probationary period, it had been relatively simple to terminate her.

Gibbs was more problematic since he and the SecNav were tight, but Davenport simply couldn’t afford to have another fiasco like BFF happening again on his watch. Even now, it had probably sounded the death knell for his political career, which was why he insisted that Gibbs had to sign the new employment contract to continue working at NCIS. While Tom had had his doubts that the stubborn former Marine would agree to sign and be bound by the parameters set out – reasonable as they were, Davenport was going to be shocked he’d walked, Tom was certain.

Sighing, he reached for his intercom to inform his PA, Cynthia, to schedule Gibbs’ exit interview for some time later in the week. Gibbs has intimated that he could easily get a job at another agency where they wouldn’t dream of hampering him like NCIS wanted to do. Morrow wished him well, although privately, he thought Jethro was deluding himself. Gibbs was a good investigator, a good agent, but he’d come to the conclusion he was a terrible team leader since he thought he was a law unto himself and that he was indispensable. The NCIS director very much doubted that anyone would find those attributes attractive and offer him a job, especially at his current rank and level of seniority.

Gibbs might have been a big fish in a little pond at Naval Criminal Investigative Services but, with the possible exception of Coast Guard Investigative Services, most of the alphabet agencies were much larger ponds and Gibbs was just a small fish. Granted an annoyingly bad tempered one, but still a minnow or a guppy in terms of political clout outside of his military home base. The alphabet agencies were gossip mongers and everyone would know about BFF and the outcome of the lawsuit
against NCIS. The likelihood was that they’d refuse to touch him with a ten-foot barge pole, so the former Marine was a durned fool not to have grasped the second chance they’d offered him. He seriously doubted he’d get a better offer – any offer. Still, it was typical of Jethro’s oftentimes churlish disposition.

Although Tom had known him for years and considered him to be a friend, he wouldn’t miss all the angst and complications of being his boss. To be honest, lately he felt like instead of being the director of a federal law enforcement agency, he was little more than Leroy Jethro Gibbs’ glorified pooper scooper, cleaning up after him.

Now, he had to find Gibbs’ replacement. As Lee had pointed out, DiNozzo actually had more overall investigative case experience and, also important, he was well liked and respected by the other NCIS teams, which was a bonus. Plus, the agent had a lot of police contacts and related well to uniformed and plain clothes cops alike. The senior field agent was well regarded by their sister agencies; since Gibbs wasn’t a team player, it always fell to his 2IC to liaise with them anyway. And finally, he’d brought Gibbs’ closure rate up with his addition to Team Gibbs.

Maybe it was time to investigate if he was ready to run the MCRT, or at least be groomed to take it over shortly. Yes, Gibbs had claimed he was grooming the young agent to take over from him, but Morrow didn’t think that head slaps and ignoring rules and regulations was such a good grounding for the team leader of the major case response team. Still he had good instincts when working with people, in spite of Jethro’s rules.

Tony had mentioned how he’d pleaded with Gibbs to do something – say something to Todd after the bombing and he’d refused. Jethro argued that she knew she’d made a mistake and no one could undo what was done or make her feel better. While that much was probably true, it was still a leader’s responsibility to care for their team and encouraging her to acknowledge her mistakes may or may not have made her feel better. But it may have made her more open to examining her actions, to learning from her mistakes, to changing and growing. If this was a snapshot of Gibbs’ method of dealing with her mistakes and weaknesses, it truly was no wonder that she hadn’t learnt anything from any of her previous blunders.

There was infinitely more to being a leader than yelling and handing out assignments - like teaching your people, especially when they screwed up. Not by ignoring ‘it’ like an ostrich burying their head in the sand, but by acknowledging errors and shortcomings, using them as a teaching opportunity resulting in their evolution as an agent and a person.

Maybe if Jethro had ripped her a new one earlier on in the piece when she first screwed up, then they all might have totally avoided this tragic situation.

Finis

Chapter End Notes

Next Episode is Eye Spy
Eye Spy: Running on Empty

Chapter Notes

A/N Thank-you to everyone for embracing this series especially those of you who take the time to comment. Thanks to the Trippies for their assistance. FT you might be loath to suggest significant changes but you're damned good at it lol. Anyone who isn't a fan of Tony introspection should probably skip this tag since it contains self-reflection plus back story that was canon compatible at the time of season 1 but not since the numerous retconning of TD. And grab a cup of something to fortify you since this is a long one. I did consider dividing it into two parts but in the end left it as one chapter. Enjoy :)

See the end of the chapter for more notes

Series: There's Always Tom Morrow

Title: Running on Empty

Episode: Eye Spy

Characters: Tom Morrow, Tony DiNozzo, Dolores Bromstead, Caitlyn Todd, Chris Pacci

He'd gotten home and promptly gone for an hour long run and when that didn't calm his anxiety sufficiently, then he'd gone out and bought himself a set of scales. He tried damned hard not to let what Cate had said to him that morning affect him, after all, she was always looking to suss out his vulnerabilities and exploit them for her own amusement. The last thing he wanted to do was to give her more ammunition, which was why he went through the stupid dumb jock routine about the so-called health food bar.

Hell, as a college athlete who'd been a hairsbreadth away from becoming a professional athlete, he'd forgotten more about nutrition that she would ever know with her trendy obsession with tofu and mung beans. He'd studied it at college along with, chemistry, anatomy and physiology and a whole slew of hard science subjects that helped make up his Physical Education degree, but serendipitously, was also really useful for his job in law enforcement and wasn't that a happy coincidence considering the direction his life had taken.

Still for the most part, it suited his purposes to play the somewhat dumb jock when he was at work but when it came to Cate Todd he really laid it on thick, like with a trowel. All the time he was wondering when she'd figure out it was all an act because she was supposed to be a profiler. A profiler should have realised pretty quickly that there was no way he could do his job if he really was as dumb as she thought he was. Frankly, he had to wonder at the calibre of profiler training that the Secret Service provided for their agents if she was typical of what they produced. And no he wasn't trying being a smartass; call it professional curiosity since he'd had some profiler training too from his post grad courses. Plus, a good dose of street smarts and common sense.

Still, the main thing was that in this situation when she stumbled inadvertently (he hoped) onto one of his triggers, his deflecting when they'd returned from the crime scene meant that Cate remained smugly superior. Smug but blissfully ignorant to the damage she'd managed to inflict on him (he hoped) thanks to his dumb jock routine refocusing her onto a so called health bar and away from his vulnerability. Objective achieved (he hoped) since if she realised she'd scored a direct hit, Cate...
would keep picking away at the bloody wound without mercy.

With a bit of luck, she'd back off now because her words this morning had been downright sadistic. The glee on her face indicated she was fully cognizant of what she was saying and how she was saying it. She intended to draw blood. The question remained unanswered; did she know about him or had it simply been a lucky shot in the dark? He didn't know – what he did know though was that the cruel taunts even if a lucky break, were something someone with limited psych training but not a whole lot of empathy would consider to be amusing or a harmless joke.

Obviously he didn't find it amusing, and as much as Tony tried to brush off the hurtful and ultimately damaging remarks, telling himself that her words were merely a bunch of consonants and vowels randomly strung together, he was only partial successful. He tried to remind himself that words didn't define who or what he was, nor did they have the power to harm him. And yet, despite the attempted positive self-talk, her words had already managed to burrow their way into his head, confirming what he knew deep down to be true. He was weak-willed, a disappointment, a failure. Just as Senior predicted before disowning him for failing to meet his expectations because he was unworthy of being the son of the 'Real Anthony DiNozzo.'

Her oh so superior damned, 'As long as you are happy with your weight, Tony. That's all that matters,' had worked like acid, burning corrosively into his psyche and waking up the beast slumbering inside his head. Said beast relentlessly repeating over and over without mercy, 'as long as you're happy with your weight,' until he wanted to scream. To bang his head up against the wall to shut it off!

And that was how the damned problem started in the first place – he wasn't happy. Hadn't been happy with himself for the longest time. Finally had to face the fact that he'd never be good enough for competitive long distance running, no matter what his coach said. Nor was he the right shape to be a sprinter either and he'd been battling body image issues ever since.

Yeah there was a damned good reason why he didn't weight himself, mainly since it had caused his obsession about his weight to spiral out of control in the first place. He hadn't exactly been telling the truth, he did weigh himself but it was always when he was in crisis mode and it always made the situation infinitely worse. Which was precisely why he'd taken the very sage advice to ditch the scales. But now he had a brand new set in his bathroom and he'd succumbed to the hypnotic lure of focusing once again on numbers, measuring his weight and body fat index, knowing it was a mistake but unable to stop.

The moment he had stepped up on them, he'd immediately decided that the numbers on the scales were way too high, despite the rational part of Tony's brain knowing the reality was that it was a healthy weight for him. The emphasis on being healthy but all those rational thoughts dissipated as the sleeping beast stirred, muttering about all his inadequacies. So much for having overcome the monster within that hounded him for more than a decade.

All it had taken was one venomous attack, one casual mind fuck and here he was, teetering on the edge and about to fall back into the black abyss below. Perhaps if that stupid jerk in the gym on base today hadn't make those stupid cracks on top of Cate's taunts about his weight, her comments, vicious as they were, might not have been enough to tip him over the edge. It was one reason why he'd never been a fan of spending time in a gym pumping iron – since in his experience the gym jerkies pumped up every muscle except the most important one of all – their brains.

Plus, there was the other unfortunate circumstance that day - being forced to jam his six foot two body into Ducky's too small overalls because what he was wearing got wet trying to protect evidence at the murder scene. Having to squeeze his body into clothing far too tight because they were made
to fit someone much shorter and smaller than him, awakened those subversively subliminal messages to his brain. The beast was jumping up and down, clamouring to get free –shouting at him gleefully that Cate was right - he was gross, disgusting and huge.

Of course that idiot in reception at Norfolk making fun of his appearance hadn't exactly helped with his body image issues. It was like someone had decided to paint a target on his back and make him the butt of jokes about his body, all on the one day. That or some cosmic scriptwriter decided he was fair game and was trying to see how many times they could make him look like a dumbass for cheap laughs. Okay so that sounded a touch paranoid but then wasn't that the nature of the beast?

People only saw him as a vainglorious jerk - which was of course better than the alternative. The sad truth was that he constantly felt inadequate, so he overcompensated. Okay… he overcompensated a lot. Tony had always tended to discount any good qualities and gave way too much credence to comments confirming his flaws, whether it be his appearance or his abilities. Taking so much care with his personal grooming had less to do with vanity and more to do with trying to fit in and feel like he belonged, like he was worthy.

Today, feeling like the object of everyone's mirth reminded him just how much he felt like a flawed freak, a sore thumb who'd never really fit in anywhere. It brought back memories of boarding school and bullies that made him feel small and powerless. Recalling the smirking expression on the smug bastard at Norfolk Naval Base, Tony made a mental note to always keep a spare pair of track pants and t-shirt in the truck from now on - he always kept spares back at the office but he'd make sure there was at least one set let in the CS truck. Perhaps he should also carry a spare set in his back pack as a second back up too.

Maybe if those extraneous factors hadn't come into play all on one day, to do a number on him after Cate's mocking, he might not have capitulated so easily and bought that damned set of scales. Yet it did and now he was the not-so-proud owner of a set of digital scales, with all the bells and whistles. He'd already started weighing himself… more than once and it had only been in his bathroom a short time. So now he was back on the slippery slope, like an alcoholic taking that first sip of booze and he wasn't sure he could get off it. Not without help.

It had all started when he was in high school. With no relationship with Senior worth speaking about since he'd cut him off years before and his mother long dead, he was just so damned hungry for approval from adult the authority figures in his life. It wasn't healthy but he was a lonely and unloved kid, so it was only natural he turned to his teachers, desperate to experience a sense of value. He wanted desperately to feel like he mattered to someone instead of being a burden and in his quest to feel special he became a compulsive overachiever and vulnerable.

He was top of his year in quite a few of his classes but he'd long ago learnt that academic success failed to provide him with the approval he craved so urgently. It had been part of his relentless pursuit to win his father's approval yet no matter how well he did academically, it had never been enough to satisfy the 'Real Anthony DiNozzo.' He always expected more of him. So even though he strove to get perfect or near perfect marks, Senior had made sure he would never derive any genuine sense of satisfaction from them.

Tony was also musical - had always played piano, at least for as long as he could remember. Mostly because his mother had wanted him to and it was his last tangible link to her. Plus, a bonus was that it had always pissed Senior off, who felt music wasn't a manly enough pursuit for his son. So Tony became ultra-serious about his music, practising excessively. Sometimes he would fantasize that his mother was there beside him, proud of him, encouraging him. A loving, devoted and supportive mother. Sober and clear headed, not the drug addled mother who drank his sea monkeys.
Still for whatever reason, his playing wasn't that elusive something that could fill him up emotionally either and 'FIX' what was broken in him. Perhaps because he knew Senior hated a son of his playing so he was doing it primarily to piss him off and his own enjoyment took a back seat.

Although he already participated in team sports, specifically basketball and football, he'd join up in the school athletics program too, since he loved to run. Had done practically from the day he'd learned to walk.

At first his running had simply been all about the highly active little boy's inability to remain still but as he grew older, it had also become a way to stay safe – to be able to flee before drunken adults had the chance to take out their anger on him, verbally, or physically. After his mother died, he learnt that running was also an excellent way to switch off feelings such as sadness, anger or grief. Emotions his father considered to be wholly inappropriate for a son of his to display, leaving his younger self in so much pain and no way to express it. Repressing emotions was his only option and running was the mechanism that helped him bury it deep, deep down.

It was the same at school; his athletics training became a way to escape from the demons who had beset him even back then and the bullies who picked on the sad kid who didn't fit in. He was incredibly vulnerable, mostly due to his intense longing to have a family or have someone who gave a damn about him – who would care if he was sick or injured. The last time he'd needed medical assistance when he'd fractured his wrist playing football and needed surgery, the school had tried to contact Senior. It had taken three days before anyone could find him and get consent for it to be fixed. Even though he'd disowned Tony when he was twelve, legally he still was responsible for him.

As an adult, it occurred to Tony he'd been damned lucky that he hadn't required an emergency appendectomy. Three days to gain informed consent under those circumstances would have meant, more than likely, he would have died. Sometimes, when he was feeling really down, he thought that it might have been easier for everyone if he had.

When he decided to run competitively and joined the athletics team in high school, everything changed completely. Finally, he felt happy and appreciated. His running coach was suitably impressed with his athletic abilities - felt that he might have the right stuff to go all the way to the Olympics. So he showered all his time and energies on Tony, treating him as a surrogate son. It was a heady experience for the unloved kid.

Tony had always been a fast runner but he wasn't interested in becoming a sprinter since he was strongest over a longer distance, nor did he think he was cut out for ultra-long distance running either. Besides, with his quick mind that flitted between subjects he soon got bored during marathons and he'd lose focus. Sprints were always over too quickly for his taste. He excelled at middle distance running though, and particularly liked cross country events. Even now, years later after joining NCIS, he really enjoyed running the obstacle course at Quantico. Unfortunately, middle distance was also the least glamorous of the running disciplines too.

Although he quickly and consistently began winning races and gaining notoriety for his school and his coach Ray Watts, Ray soon started pressuring him to switch to marathon running. Against his better judgement he finally agreed, after Ray had pretty much sent him to Coventry for a couple of weeks when he'd dug his heels in and refused to switch events. Being ignored by his coach was a little too close to being abandoned by Senior, making it far too easy for Ray or any adult to manipulate him like Gumby.

Tony figured out many years later when he was more worldly, what had motivated Watts was that sprinters and marathon runners had a higher profile than middle distance runners. Athletes get lots of
sponsorship deals if they make it to the top but middle distance runners are the poor relations of the running world. Top sprinters and marathon runners are minor celebrities, as were their coaches but honestly, most people would have trouble naming a single 5,000 metre or a 10,000 metre runner if they fell over one. Still, the cold hard truth was that Tony didn't have the right physique to excel as a competitive marathon runner – he was too tall – too big. Even as a high school kid he was lanky and long limbed, not neatly compact like the successful marathon runners.

So it was almost inevitable that before long, when Tony's performance didn't live up to his past feats (and what a surprise that was) Ray started to get in his face about his BMI being too high and needing to trim down. Tony started restricting his food intake and increasing his training to burn calories and it became a vicious cycle. The more weight he lost, the worse his running times got and the more he convinced himself that if he could just mould his body into the perfect marathon runners' physique, he would succeed and everyone would be happy with him. He would be happy.

Since he was still growing he decided that he could stunt his growth if he wanted to win badly enough, and he desperately wanted Ray's approval. Therefore, the choice was obvious to him, as making his coach happy became his main focus. He eventually discovered that everything else in his life began to fall apart as he became obsessed with turning himself into a long distance runner.

It was weird, as he started dropping significant weight, it was as if an alien had taken up residence in his brain. Whereas before he'd always been eager to please and compliant, as adults started to get on his case about the dramatic loss of weight he became stubborn, oppositional, intractable. It was like he'd finally found a way to take control of his life and strike back after being at the mercy of his parents and what fate had dished out.

He might suck as a long distance runner but finally he found something he was good at and he had control over; it made him feel amazing and powerful. And it was euphoric and addictive, especially combined with his runner's high. Yet the adults in his life – his teachers and the school counsellor, even parents' of some of his school friends became his enemies, trying to take it all away and make him feel empty, alone and imperfect again.

It took a lot of work before Tony was able to recover from the eating disorder and in the end it was an accident that finally put paid to his running around the track for hours every day. He dropped a weight on his foot in the gym during his weights training, breaking his cuboid bone and literally couldn't run anymore. Not for weeks, which was sheer physical and mental torture.

His enforced break from athletics wasn't a miracle cure, it took a long time to get his head on straight but when he finally did, Tony decided as much as he enjoyed running he was going to give up competitive athletics and stick to team sports. His counsellor had recommended that he stop weighing himself, focusing instead on being healthy and he found that it did help him to stay on an even keel to throw away the scales.

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Special Agent Chris Pacci eventually noticed what was going on with Tony after the murder case of Lt. Cmdr. Thomas Egan and he'd requested an immediate appointment to see the director. The mild-mannered agent had first discovered Tony's secret a few months after he joined NCIS back in late 2001. It was not long after his fiancée ditched him at the altar the day before their wedding and understandably, the young agent had had a very difficult time dealing with the situation.

He'd already known about DiNozzo's illness since he'd been the one to do the background check for Gibbs, prior to Tony joining the agency but figured it was a one off situation. So he hadn't paid it too much attention and as far as he knew, neither had Gibbs. Jethro had been much more concerned about the Baltimore cop's work history or anything that might have pointed to him being a security
risk or easily corruptible. Chris' research had revealed that apart from a father who was a rich businessman that possessed a questionable reputation amongst his peers re his business ethics, Anthony DiNozzo Junior - unlike his father - was sickeningly honest and highly principled.

It was during a pickup game of basketball between NCIS and the Fibbies one weekend he found out that Tony's teenage illness was not just a youthful anomaly. The de facto basketball comp was supposed to be friendly games to let off steam between two sister agencies but that still didn't stop them wanting to pound the Fibbies into the ground then stomp on them...hard! And since Tony joined in their games, that's what the NCIS team had been doing. No one on either team could get near him with his speed and skills.

Chris had recruited him for the team not long after he started working for Gibbs. He knew just what an incredibly talented Buckeye he was, having gone over his record with a fine tooth comb. He'd even gone back and checked out some of the games he'd played in and was astounded by his athleticism. When he joined NCIS, the quiet agent watched on sympathetically as the ex-Baltimore cop struggled to find his place as a fed.

Even though NCIS was on the bottom of the food chain in the federal law enforcement hierarchy, that hadn't prevented him being hazed pretty relentlessly by his fellow agents since feds, at least in their own minds, trumped cops in the pecking order. While Gibbs attitude of scorn and derision of cops was pretty extreme, many feds held similar, albeit slightly more moderate perspectives, accounting for the concerted hazing he received.

By co-opting him to the basket-ball team Pacci hoped that when Tony whooped FBI butt on the court, as he was confident that he would, it would also help smooth his way into NCIS. And it had worked to a large extent. Playing on the team had gradually helped DiNozzo find acceptance from a bunch of disgruntled feds who thought they were better than a baby cop they saw as stealing a place on the highly regarded MCRT. The truth was though, that as much as they despised cops they resented the FBI more – like Cinderella's ugly step sisters whose jealousy knew no bounds.

The irony was that his fellow field agents weren't exactly rushing to work one-on-one with the ball busting Leroy Jethro Gibbs, it was just the principle of the thing. Many of them were jealous that the ex-cop walked into his job without putting in the hard yards (as they saw it). So the hazing he'd encountered had been particularly harsh and even when Chris pointed out that having to deal with a pissed off Gibbs more than made up for him walking right onto the premier team, the hazing persisted. However, as Tony took to the court, rotating between NCIS' point guard and shooting guard depending on who else was out there on the court, he was slowly gaining fans as the FBI were made to look like a bunch of ham-fisted buffoons. That never got old!

It was after an early victorious game that Chris first noticed that Tony was seriously underweight. They were in the showers and the hazers had played a prank, removing his clothes and towel while he was in the showers. Chris didn't say anything then about his concerns for a former college athlete who was literally skin and bone but he watched him closely. He soon noticed that Tony was barely eating; that he spent his lunch breaks running around the navy yard. Knowing about his first episode back in high school, he'd correctly identified what it all meant.

Pacci thought about telling Gibbs that his probie was struggling, he really did, but the SSA was going through one of his periodic phases of being even more of a bastard than he usually was. These phases happened like clockwork at numerous times of the year: in late October, the end of December, the second week in May plus at the end of May, the third week of June and mid-August and there were several other times as well. Plus, whenever he worked cases involving children, he became almost unbearable to be around. Still, even at his most mellow (which was pretty uptight, as far as Chris was concerned) he didn't think a 'suck it up Marine' attitude accompanied by the
inevitable boot up the butt would be particularly helpful to Tony in his current situation.

So Chris had decided against mentioning his concerns and suspicions to Gibbs and had reached out instead to Director Morrow for assistance instead and between them they'd managed to get him the help he'd needed on the QT. DiNozzo had bounced back and over the next few months, seemed to have found a less self-destructive way of dealing with his emotions.

He went from devoted faithful fiancé to playing the field; only going out with women who were young and definitely not looking for any sort of commitment from him. Told Chris he didn't want to hurt anyone like he'd been hurt by Wendy. At the first sign of them getting too serious about him he would break it off and most of his 'girlfriends' never lasted more than a couple of weeks, at most. It might not have been the healthiest way to cope with being left at the altar but Chris reckoned it was definitely a hell of a lot better option than starving himself to death.

Now here they were in February, 2004 and they were back to square one again. And like the first time, he decided that Gibbs current preoccupation with tearing Tony down in front of his newest protégé was not conducive to confiding in him about Tony's situation. Heading up to the Mezzanine level, he entered the director's outer office and smiled at Cynthia, asking if the director was ready to see him yet. He was really glad that Tom Morrow had a soft spot for the young agent - Tom would have Tony's six.

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After overcoming his failure to become a successful long distance runner and wrestling his demons back into the box, along with his other emotional hang-ups, Tony had finally caught a break. He'd received a sporting scholarship to OSU for his basketball and football skills. Settling into college he found himself bouncing back and life was generally pretty good. He'd concluded he wasn't destined to get the acceptance, the one-on-one recognition he craved so badly. Tony like public adulation – who didn't, but he didn't crave it like he did a surrogate family. But he'd come to the conclusion that seeking it had made him far too vulnerable – he was already emotionally weak and needy and that was a dangerous combination.

So he started to push people away by being abrasive and never acting serious and most people fell for it, apart from a few of his frat brothers who understood it was just a very clever façade. It was at college that he first honed his skill at creating different masks for different situations. Perhaps his greatest creation was the one he habitually wore, pretending that he was happy-go-lucky and content with life.

It wasn't that he was desperately unhappy or anything, just that he stopped believing he could be or deserved to be truly happy. It was better to settle for feeling safe and content than be disappointed and hurt. He settled into OSU quickly, done well academically and ended up playing on the varsity team for both basketball and football which was an impressive achievement for a kid who was, to all intents and purposes an orphan and at college on a scholarship.

Still in his four years of college where he'd naively assumed he was safe, immune from his demons, he crashed and burned twice as he succumbed to the disorder that had caused so much damage in high school. The first time he'd relapsed he'd longed to experience that nirvana-like bliss he'd experienced at the height of his illness, and he started starving and running to lose weight again as he tried to recapture the feeling when his emotions became too painful to deal with.

He was in Baltimore for an important game of basketball and too restless to sleep, so he'd been prowling around the streets near the hotel late at night when he'd come across the burning building. Unable to save Jason King's baby sister, Amber had, literally eaten him up with guilt, especially when he often dreamt of the angry and accusatory little boy's face, glaring at him with undisguised
hatred for failing to get little Amber out of the burning building. Her screams would haunt his dreams for many years to come, as did her brother's anguished cries as he carried the struggling child to safety.

Even now, years later he still had dreams of that night and everything he did wrong. The 'what ifs' and the 'if onlys' which drove him crazy. So it was hardly surprising with the amount of self-hatred he was feeling back then and his tender years and lack of family support, that he lapsed back into another destructive cycle of running and starving, as he tried to create the perfect Tony. The one who would have been good enough, fast enough, strong enough not to wimp out. The one who could outrun the fire and save a child the next time. Or perhaps he was trying to punish himself for not being perfect enough to do it the first time. He wasn't entirely sure which and in the end it didn't really matter.

The second time he found himself battling his disorder was when he broke his leg in a football game against the Michigan Wolverines and his dream of a career in the NBA came to a shuddering halt. It soon became clear that it would become a career ending injury and the uncertainty of his future that he'd so carefully mapped out was in a sudden state of flux. He was no longer 'safe.' All the doubts and Senior's dire predictions about his fate raced to the fore as he tried to deal with all the uncertainty that his injury had produced.

Of course, since he couldn't run with a broken leg, it was difficult to engage in his typical pattern of hours of gruelling exercise each day and rigorously restricted caloric intake. On the other hand, as his rehab began he was able to bump up his activity levels in the gym as the weight began to fall away. He'd always had a metabolism where it was easy to drop weight when he skipped meals.

It was his sport psychology lecturer who ultimately rescued him and helped him find a new direction, suggesting that he enrol in some forensic psychology courses during his rehab and he was hooked. Of course, having reared himself on a diet of James Bond and Magnum PI, along with the cookie cutter archetypal family shows, it really shouldn't have come as such a shock that forensics and crime fighting held such a mystique for him. When Tony graduated, he had a double major in Phys. Ed and psychology, although his dreams of being a professional sports star were long dead and he knew he wanted to become a cop.

He'd had one more relapse. Since leaving college he'd avoided close relationships with other people by moving on before he got to settled or attached to friends or colleagues, which had worked pretty well, up to a point. Until he ran into his former piano teacher in Baltimore and started a hot and heavy affair with her that quickly turned serious when he stupidly proposed to her, swept up in daydreams of domestic bliss and a family. At the same time, his partner on the homicide squad had enough similarities to him for him to break his rule of letting other people get too close to him. Danny became even closer than just his partner; he became like a brother to him. And that was his downfall - again!

It was not long after he'd joined NCIS that everything went to hell in a hand-basket when Wendy left him the night before their wedding. That rejection coupled with the earlier betrayal by his partner Danny Price, who he'd discovered on their last case together and where he'd met Gibbs, was corrupt, was too much. Too much hurt, too much self-loathing. It was just too strong for him to resist the lure of the monster that was still with-in him, sleeping.

Once again, he found himself caught up in the ruthlessly self-flagellating process of over-exercising, starvation and weigh ins as he punished himself for not being perfect enough. Not perfect enough for Wendy, who obviously couldn't love him enough to spend the rest of their lives together. Not good enough for Danny, for whom the lure of money was more important than his oath to serve Baltimore citizens or his partner.
The truth was that people always let him down when he allowed them to see the real Tony - with all his weaknesses and his emotionally neediness. Yet his disorder could always be counted on to be one hundred percent reliable – it made him feel better even though it also wreaked havoc too. So, taking refuge in the comfortable routine of excessive running and restricting calories was hardly surprising, especially in his new environment where his new colleagues were hardly welcoming him with open arms.

Typhoid Mary probably felt more welcome than Tony did when he first joined the agency, whereas his illness was like an old friend. One that could bring a certain degree of consolation and yes, comfort and safety, along with a sense of deep despair. No doubt why it was also so unrelenting and difficult to escape.

Tony was terrified that his new boss would find out about it and sack him, which just made the whole mess worse. Gibbs, a former Marine, was not a man who understood weakness – his Rule Six underlined that fact very plainly. The stress of hiding it from the boss became unbearable even as the adrenaline rush of getting away with it right under his nose added to its addictiveness – it was a vicious cycle.

Tony had managed to deal with the two episodes at college, thanks to observant and concerned frat brothers and several of their fathers who were highly influential former alumni who interceded on his behalf. They'd successfully petitioned TPTB for it not to go on his academic records. He was hopeful that Gibbs hadn't paid much mind to his high school records. He'd lucked out that when his secret had finally caught up with him in DC that it was Pacci who'd uncovered it. Conquering the disorder for the fourth time he'd promised himself to never again make himself vulnerable to the monster that took over body and mind, trying it's level best to ruin his life.

Yet in the days following the case of the murder of Lt Commander Thomas Egan which had taken place under the gaze of the CIA satellites, he was back here in the dark Netherworld again. Jumping on the scales, overwhelmed with loathing, obsessing over pounds and ounces; all because of a comment Cate had made during the case. How pathetic was he that he couldn't stand up to her crappy mind games?

Okay, so maybe he'd been feeling ever more vulnerable since their MCRT went from two to three investigators. Yes, they'd had other team members before this, most recently the red headed Vivian Blackadder – who FYI hated jokes about Rowan Atkinson. But this time when Cate joined them it was different, and he wasn't sure why it was.

Perhaps that was half his problem – not knowing or being able to understand what the rules were anymore. That was one thing he'd always found appealing about sport - it had clearly defined rules so you always knew where you stood. Meanwhile, Cate wasn't acting like a probie, nor was Gibbs demanding that she should, and that had never happened before and it made him anxious. It made him test the boundaries – trying to figure out what it all meant.

Plus, Caitlyn Todd seemed determined to attack his professional abilities, practically from day one and didn't bother hiding just how much she disapproved and despised him, either. He just didn't understand what he'd done to her that disturbed her so badly, since he only started riling her up and being obnoxious to her after she'd begun attacking him professionally. Tony took his profession and his job very seriously and suggesting that he didn't belong on the team was probably the worst insult she could possibly throw at him.

The thing that had completely unnerved him though, was that literally overnight, Gibbs, his partner and mentor had become Gibbs and his snarky sidekick Caitlyn Todd, and he was the one who got kicked in the side. Shades of his parents, not to mention that Gibbs, post Cate, had recently starting to
slap him on the head, even though Tony told him two years ago when he'd first hired him, not to do it. Then there was the mind-freaky development of his boss threatening him with bodily harm without his provocation, deliberate or otherwise. Not that there was ever any excuse for violence or threats.

Sure the former Marine was well known for making threats to tear people a new one or putting his foot so far up their butt their grand-kids would feel it, but this had been distinctly different in tone. Very different. There'd been an animosity, a cold-blooded rancour about it that wasn't easily dismissed, not even for the irrepressible DiNozzo. An antagonism that Tony actually found rather chilling and he wasn't easily scared, after a childhood of dealing with drunkard adults which had given him a backbone of steel when it came to surviving the art of intimidation.

An example of the new improved Gibbs was the case they investigated of Corporal Fuentes' murder on a night jump, when Gibbs and himself were watching Marines practising their jump landings. Tony had been spending time training with them because Abby had asked him to check out something for her but he'd always wanted to learn to jump too, he admitted to himself. Plus hanging around with the Marines was an excellent way to pick up extra Intel until Gibbs had put a stop to it. As they watched the Marines practice Gibbs had observed, 'You know, some of these guys freeze on their first jump. Have to be kicked in the ass to get 'em out.'

Thinking back on it, it had been highly out of character for the boss to be so chatty with him, which should have clued him in that something was up but at the time Tony didn't smell a rat. He'd replied eagerly, 'Not me.' He'd thought launching himself out of a plane and free falling through the air before pulling the chute and gliding back to earth looked like an awesome experience and imagined that he'd be first one out of the plane, if given the chance to jump. His daydreams had been violently interrupted when Gibbs had replied rather chillingly, 'No. You fall into the category I want to kick in the ass on the ground.'

Well thank you very much Gibbs – good to know. Thanks so much for sharing that informational gem!

And he vividly remembered the BFF bombing case, for a multitude of reasons but in this instance because Gibbs had made another threat to him. It had started when he'd been a little bit enthusiastic about telling him and Abbs about his keen eyesight, he'd concede. But then again it had also found them an important lead, so sue him if he was trying to get some rare acknowledgement out of his boss. Would it have cost the boss anything to have given him a 'good job, Tony?'

Gibbs got pissed off with him and demanded, aggressively, to know if his eyesight was good enough to see a fist coming at him? Tony really wondered what the boss' reaction would have been if instead of laughing it off, if he'd truthfully answered the question with, 'You kidding? With all the practise I got; most of the time I was able to duck, but not always. For a drunk, my old man had a mean right hook and was surprisingly fast when pissed!' But he figured that Gibbs might not believe him or even worse, he might voice approval of Senior's methods.

Since becoming the third wheel on the team, Tony had also found his old nightmares about being twelve years old, Hawaii and being left behind in a hotel had become reoccurring. It was fairly obvious what had stirred up that particular demon. He had a thing about being left abandoned, pathetic fool that he was!

Everyone had been so ready to predict his failure when he joined the team two years ago, many thinking he wouldn't last a week. Yet in spite of being a homicide detective and probably already seeing a sight more homicides than many NCIS agents ever would, he paid his dues. He'd put up with a heap of hard core hazing with a smile or a joke on his lips and here he was - two years later...
afraid he was no longer wanted or needed.

He thought he'd gained people's respect. He thought at the very least he'd earned Gibbs' respect but it seemed he was mistaken. Speculation was rife about how long Gibbs would keep him around before kicking him to the curb and giving his job to Todd. Hell he wondered about that himself, but Gibbs wasn't talking – not to him at any rate!

So his anxiety levels were already elevated, he wasn't sleeping well and running seemed to moderate his anxieties so he could get through the day – probably because he started pushing himself to run faster, longer, harder. And while he didn't deliberately set out to restrict calories, this time, his appetite had taken a nose dive because of his anxiety and insomnia. The constant two pronged attack from Cate seizing on everything he said and making it into a personal insult was making him so uptight that he couldn't eat a lot of the time. Her gleefully monitoring every bite of food he managed to swallow on the job effectively killed any appetite he might have.

Even his mask was slipping as he found himself getting short tempered with his workmates. It was only a matter of time until Gibbs figured it out.

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When he entered Tom's office the Director took in his frown and felt a roiling in his gut. "Is this something work-related, Agent Pacci?"

"Yes it is, but not case related, Sir."

He nodded. "Go on, Chris."

"I said I'd keep an eye on DiNozzo, Director. Well he's struggling."

"Can you be a little more specific than that?"

"You remember when his fiancée left him, how he coped with the emotional turmoil?"

Tom nodded. Now he was definitely concerned. That had not been pretty.

"I think that he's teetering again. He says he's not deliberately restricting calories but that he's just not able to eat. He's dropped weight and he admitted that he's over exercising again and weighing himself."

"Damn! I thought we were out of the woods. Do we know what might have triggered it?"

"He says that Agent Todd made an unfortunate crack about his weight but it wasn't so much what she said but how she said it that caused the damage. Did that patronising shrink BS and it tipped him over, especially when some of the base personnel made cracks about him being out of shape. I think he could have laughed off a single attack but a multi-pronged assault on him was too much. Particularly if he's already feeling like his position on the new look team is precarious."

"What did she say?" Tom enquired intently.

"Oh just some crap about how it didn't matter what anyone else thinks about his weight. As long as Tony was happy with the way he looks, that's all that matters."

"Damn it. She's supposed to be a profiler. She wants to mess with peoples' heads' and play those sort of mind-fuck games, she should have applied to PsyOps."
Tom bit his lip, knowing he’d inadvertently said too much in front of Special Agent Pacci but he was furious. If someone had said that to Todd, she would kick up such a stink about patriarchal male expectations of female body weight causing anorexia and bulimia in women. Hell if it had been ANY female NCIS employee, she’d have been up in arms about sexual harassment, wanting to make a complaint to HR but because DiNozzo was a man, it was therefore fine to play sadistic mind games with him.

He was perfectly fine with feminism, agreed that women had a difficult time in getting a level playing field and that discrimination was rife, especially in male dominated careers and positions of authority. BUT Tom had no patience whatsoever with Todd's version of rabid feminism where it was fine to decry sexist behaviour and then in the name of feminism, apply the same sexist behaviour to men as a payback. If something was wrong, it was wrong regardless of a person's gender.

He also abhorred the tendency to immediately blame every little thing that Todd didn't like about being a probie on sexism when it was just the simple fact of life that juniors did the grunt work, which by necessity in their line of work was often messy and thankless. Especially in a small agency like NCIS where the agents even had to gas the crime scene truck. If she wanted to put on airs and graces she was in the wrong place and wrong job. If it was good enough for everyone else, then she could damn well suck it up too.

"Okay Chris, same as last time. Let's get him in to see Rob Dixon and try to nip this thing in the bud, shall we? I'll make it an order when I have an off the record chat with him. Thanks for keeping your eye on him, by the way."

"Do you think we should read Gibbs in this time?"

"No I don't think so. He hasn't exactly had his SFA's six lately." Tom stated, thinking about how Tony couldn't find a place to stay during the Jane Doe case with anyone on the team. "He's just as likely to make a big joke about it in the middle of the bull pen, which will be a great help. Not! Oh, and Chris, I might assign DiNozzo to work cold cases with you for a couple of days to give him a break from all the crap and help him get his head on straight."

"Good idea, Director. I'll drag out one or two cases that have everyone stumped. Let him use his lateral thinking and see what he comes up with."

As Chris left his office, Tom decided it was high time to find Chris a new partner and get him off cold cases. He'd been working them solo since his probie, Cassie Yates left to do undercover work and he didn't like the fact that no one was watching his agent's back. Just because a case was cold it didn't mean that it couldn't be dangerous to look into. In fact, sometimes when people found out they were under investigation again after many years in the clear, it could be even more dangerous than working an active case. People had the chance to become comfortable, entrenched in their lives and then when their freedom was threatened, could be unpredictable and highly violent.

It was also high time to have a chat with Agent Todd about double standards in the workplace and her contribution to fixing them. Perhaps suggest she consider a lateral move into PsyOps.

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Caitlyn Todd had been called to the director's office and found the manager of the Human Resources Department – a Dolores Bromstead already in there with him. Although she was a little alarmed to be summoned, she was pretty confident it wasn't because of anything she'd done wrong, after all if DiNozzo was allowed to work here they obviously didn't have any real standards worth mentioning.

Director Morrow acknowledged her briefly. "Thank-you for coming so promptly, Probationary
Agent Todd. I'll be with you soon. I just have to finish dealing with this issue with Ms Bromstead. You're welcome to wait here, unless Dolores has any objections.

"Not at all, Director Morrow."

As she sat down at the conference table, she took stock. It seemed to Cate that they were engaged in a long running and definitely heated debate between Dolores and the director. Both of them defending their position quite ardently.

"I still don't see what the big deal is. So he made some disparaging remarks about her? Don't you think she'd being a bit precious?" Tom queried patronisingly.

"No, Sir. I don't think she's overreacting. No one has the right to be verbally abusive and derogatory to a co-worker. I'm sure that Agent Todd will back me up on that?" Dolores retorted vehemently, looking at Cate for support.

Cate nodded emphatically. "Absolutely. It's totally out of line and he needs a wake-up call. He should receive a strong warning so he stops behaving like a jerk."

"Please ladies, all he did was make a harmless little comment about her being bovine-like."

"Don't forget he told her she needed to lose some weight, Director Morrow." Dolores retorted, dripping disapproval.

Cate found her blood pressure rising – it was simply inexcusable and she felt compelled to express how disgusting that was. "That's totally inappropriate behaviour, Sir. It's sexual harassment to comment on a female colleagues' appearance, not to mention it's unacceptable workplace behaviour."

She was furious – how dare a man make sexist remarks about some poor woman and make her feel bad about herself. "Women shouldn't have to deal with juvenile males, attempting to live out sick sexual fantasies. He's a male chauvinist pig – probably bald and fat or he has impotency issues."

"Oh come on, Probationary Agent Todd." Tom objected mildly. "You women are always on a diet or talking about losing weight. Why can't a guy agree with you about you losing weight without getting accused of acting inappropriately? Doesn't seem like such a big deal to me. I'm not about to put a black mark on an agent's record because of a harmless little remark about a woman's weight because she is insecure and neurotic."

Cate was incensed by Morrow's attitude. It was right out of the ark; moreover, he should not be running a federal agency. Trying to express her revulsion of this sexist behaviour without being accused of insubordination, she schooled her tone to be mild even if she wanted to Gibbs' slap this appalling example of chauvinism.

"When a woman expresses dissatisfaction with her own body or talks about going on a diet to lose weight it's her business. It's usually caused by her insecurity and poor body image due to unrealistic patriarchal expectations and mass media pushing unrealistic images of female bodies. When men express dissatisfaction with a woman's appearance or tell her she needs to lose weight, it just confirms to her she isn't good enough. It makes her feel even more insecure, and that's dangerous because it often leads to eating disorders and fad dieting. After all, we're constantly bombarded by images in magazines, TV and movies of unattainable female bodies – we don't need our co-workers, especially male co-workers, reinforcing such stereotypical images of the perfect female body too."

Dolores nodded forcefully. "Most eloquent, Agent Todd. I couldn't have put it better myself."

"But Ladies, don't you think that she was being too sensitive. Surely she should just suck it up. Perps
aren't going to hold back on calling her a fat cow because it's sexist behaviour or inappropriate. I say she needs to toughen up," the director insisted roundly.

"Obviously we can't control the behaviour of criminals, Director but when it comes to derogatory comments from co-workers about weight or appearance when it has nothing to do with a worker doing their job, it is unacceptable behaviour. And the Department of Defence agrees, as their guidelines make perfectly clear. It is unacceptable behaviour," the HR manager asserted firmly.

Morrow looked over at Cate, sighing unhappily. "I suppose you agree too, Probationary Agent Todd? I should take action in this situation?"

Cate scowled. She hated how Morrow always referred to her as Probationary Agent. She had been a fed for almost a decade. She was no probie but she supposed it was a pathetic attempt by the chauvinistic dinosaur of a director to make her feel inferior because she threatened him. After all, she had been on a first name basis with the POTUS – well he used her first name. Obviously she didn't call him George or Dubblya. Sighing mentally, she tried to make this dense male realise he needed to discipline his sexist agent. She owed it to the other females in the agency.

"Absolutely Director. This guy needs to be censured. That sort of behaviour cannot be tolerated."

"Very well, Ladies. You've convinced me. Dolores, have you got the paper work?"

"Yes, Director. I prepared it earlier," the head of HR responded, handing over a sheaf of paper work.

"Most efficient. Thank-you," he accepted the papers, looking them over briefly before standing up and walking around the conference table to hand them over to Cate.

Feeling confused she took them and looked down to see that Probationary Special Agent Caitlyn Todd was being formally censured for inappropriate behaviour to a co-worker and a supervisor. Furthermore, she was being suspended for one week. What the heck!

"I don't understand. What is this?"

Tom looked suitably apologetic. "Well after you argued so emphatically for me to discipline a male agent for calling a female agent a fat cow then obviously, I also have to take action against you calling Agent DiNozzo a pig repeatedly, and then last week telling him he was overweight. Seeing you are such a big proponent of gender equality, I'm sure you'll agree that I really have no choice but to treat you the same as the male agents."

"Oh please! That's different. Woman have spent centuries being treated as sexual objects for male gratification. Now that we've fought for and gained gender equality and get a bit of our own back, they're too weak to suck it up? Well too darned bad! And it's not like some harmless teasing is going to do any deep psychological damage to them, unlike females who become anorexic or bulimic." She objected scornfully.

Dolores scowled at her. "Gender equality means that everyone should be treated with respect, Agent Todd, regardless of where their reproductive organs are located. If it's wrong to call a woman ugly, fat or liken them to an animal then it's wrong for women to treat men that way, regardless of how women were treated in the past. We can't complain about sexual objectification of women by men if we turn around and do exactly the same thing to them, but claim that it's fine for us to do it because they did it first."

The director frowned at Cate. "I would also expect someone who claims to be a profiler would be better informed about psychological issues. I'm suspending you for a week and during your
suspension you will spend that time at a leading male eating disorder clinic in DC, since you're clearly ignorant about the issue. Upon your return, I'll expect a comprehensive report on eating disorders and how men are affected, which can be used by HR in future training seminars."

Tom then handed her a plain black and white business card with a name – Dr Samantha Ryan and a phone number. "And you might want to consider your future while you are on suspension. Deliberately trying to psych out a colleague who doesn't need to lose weight and convince them they do strikes me as, at best, lacking in empathy.

"I find it disturbing that you are able to create an emotional bond with a killer, and over identify with a dead delusional seaman, intent on blowing up a navy ship but take sadistic pleasure in using your psychological training to create harm or distress to a co-worker. I really think you'd be a better fit at PsyOps. Think about it."

Cate felt shell-shocked. Suspended for a week, a black mark on her jacket (okay another one) and the director suggesting she look for alternate employment. She'd only been in the job for three months. How did everything fall apart so swiftly?

Desperately trying to come up with a response - it was Dolores who had the last word, though.

"Before you try to justify what you said as some deep concern for Agent DiNozzo's health, you might want to think about the fact that only a couple of weeks ago you were drooling all over his body when you happened to catch him in the buff. Your leering over his abs, butt and tackle sure as hell seemed like sexual objectification to me."

Seeing Cate's shock, she chuckled somewhat mirthlessly.

"Never share anything with Dr Sciuto that you don't want spread all round the office. She couldn't keep a secret to save her life. So," the HR manager continued, "don't even think about telling us that you were concerned when you made that suggestion about his weight. You were deliberately messing with his head and if it had been a male who did it – especially the sadistic way you did it - you'd be screaming for his gonads on a plate. Makes me glad you aren't my enemy – although I'm guessing that's going change after today!"

And really – what else was there for Cate to say although she was sure she'd think of something sarky when it was too late!

The End

Chapter End Notes

NM asked about my thoughts re Gibbs treating Tony like dirt this season, and if I thought his goal was to give him a shove out of the nest. First off, Gibbs has often treated him like crap over the years, so no, it doesn't wash with me that he is trying to persuade Tony to leave the team just because he is being even more of a bastard than usual. A real leader who thought it was time for Tony to move on would simply sit him down and say - 'You're an incredibly skilled agent and your talents are being wasted as SFA, so as much as it pains me to lose you, Rule 5 applies.' Especially a leader who is talking to a partner who has remained loyal to him for 15 freakin years. A real leader
would send him on his way, stronger than when he recruited him since that was not a
good time for him, not make him doubt himself and his accomplishments. A real leader
would have had his back through all the crap he'd faced this year, not withdrawn his
emotional support - what little he has provided over the years. Regardless of his own
existential crisis but then, it's always been about what Gibbs' wants and needs and that's
why he sucks as a leader.

So NO I don't buy the whole Gibbs' tough love crapola...but I actually do think that
being pushed out of the nest is more plausible in terms of RL with MW. He's been
increasingly sidelined and made an irrelevant character over the years by TPTB - which
is pretty strange when you think that with him earning the no.1 Q score in 2014, that it
would have been a PR dream come true for producers and they would have been
milking it for all it is worth. Instead his role has been even more marginalised and
wasted (mostly relegated to comic relief, apart from a couple of one and done eps per
season that have been mostly hogged by Senior) and I have my own ideas on why that
might be the case.

It seems like the only master plan they have for his departure this season was to make
the TD character even more marginalised, ludicrous and irrelevant, believing they can
lessen the impact of him leaving with viewers. Even Bishop who used to treat him with
respect (the only one who did) has now joined in making fun of him i.e. during the
dumbass DNA thread or when criminals were berating Tony in Charades. And
honestly, how ridiculous that someone with two decades experience and his skills as a
cop/fed would ever allow his identity to be stolen like that? He was supposed to be, after
all, 'the best young agent' Gibbs had ever worked with, and 'one of NCIS' best agents,'
according to Vance - so how implausible was that whole scenario? Seemed like
gratuitous character assassination to me!

To conclude, I'll just point out how different Shemar Moore's departure from Criminal
Minds was after 11 seasons to the departure of Michael Weatherly. Morgan gets to leave
with dignity and respect, without his replacement taking away from his last episodes.
They've had over a year to plan this and give MW a fitting thank-you for his
contribution and IMHO they have blown it. In a way, even if he gets a promotion,
doesn't get paired off with a abusive former team member or get red shirted off into
oblivion, it is largely irrelevant because I've realised that the TPTB killed the 'Real
Anthony DiNozzo' a long time ago and Michael Weatherly finally got the memo. Vale
Tony. Thanks Michael.
Chapter Summary

The MCRT don't have a body - they just have a dismembered leg. There is a LOL (little old lady) and a redhead. Gibbs flirts and Cate is jealous. A pretty simple case for the MCRT... surely?

Chapter Notes

A/N: Thank-you to everyone for their feedback and support of this series. This one is fairly short and sweet. Thanks to RCEpups for her technical expertise. Hope you enjoy.

Series: There’s Always Tom Morrow
Episode: My Other Left Foot
Title: Technicalities and Other Minor Details
Characters: Leroy Jethro Gibbs, Tom Morrow, Michelle Lee, Joe Landers (OC)

Tom Morrow read the case file again, frowning as he jotted down something additional before directing his attention to the report in front of him again. Finally, after sighing in anticipation of the painful interview to come, he reached for his intercom button.

“Cynthia, can you please ask Special Agent Gibbs to come up here when he’s got a minute.”

“Yes Director. Oh by the way, you asked me to remind you to call Mrs Morrow at 1400.” His personal assistant Cynthia Summers reminded him conscientiously.

“Thanks Cynthia, I’ll call her now.”

As he was on the phone organising the details of their date tonight for a charity performance of the National Ballet for wounded returned vets, Gibbs wandered into his office and helped himself to a cup of Morrow’s coffee after Tom waved him on in. After finishing up promising to get home early enough to change for tonight’s black tie function, he ended the call with a casually affectionate endearment for his wife born of so many years of marriage. After more than two decades together, their marriage was rock solid.

As he hung up, Tom acknowledged his agent. “Gibbs, make yourself at home.”

Eyeing the case file on the director’s desk he frowned. “Problem?”

“You might say that. This latest case - I have a few questions.”
Gibbs looked surprised. “Pretty straightforward. What do ya need to know?”

“First off, why didn’t you know that Dr Chambers was the mother of Melissa Dorn, your chief suspect? That was sloppy work.” Morrow observed bluntly.

Gibbs looked pissed at what he obviously considered interference in his team but visibly swallowed down his ire so he could respond. “Maybe…but in the end, no harm was done. These things happen.”

“Pretty sure you wouldn’t accept crap excuses like that from your agents, Jethro.” The director observed dryly, sipping coffee and picturing how Gibbs would respond, particularly if Tony had dared offer that up as a defence. His imagination conjuring up images of Gibbs’ boot knee deep in the luckless agent’s nether regions. But then, Gibbs always had been good at the whole ‘do as I say, not as I do’ shtick.

“You didn’t pick it up though. The question is, did you miss it because you were too busy flirting up a storm with the chief suspect?” Seeing the surprised expression, he elaborated. “According to accounts I’ve heard round the water-cooler; you were drooling all over the delectable Ms Melissa Dorn.”

Scowling, the former Marine responded with clipped speech indicative of his temper. “Was trying to keep her busy so Todd could snoop.”

“Can’t blame me for asking why you dropped the ball, Jethro. After all, she’s a redhead. And it was a pretty basic error not to do a comprehensive check on a suspect.”

Gibbs was not at all happy that Cate had been spreading scuttlebutt about him and Melissa Dorn. He decided to have a ‘little talk’ with her later, perhaps while she spent some quality time learning about the joys of dumpster diving. He’d so far let her off all the crap probie duties since she bitched so much about only getting them because she had ovaries. That was obviously a mistake!

“That it, Tom?”

Morrow fixed him with an appraising look. “Not exactly, Gibbs. If you didn’t have your mind in your pants, perhaps you can explain to me why you and Agent Todd entered the suspect’s house to serve a warrant to search for evidence and failed to secure the premise?”

Gibbs looked at him blankly.

Tom scowled at his sudden obtuseness. “What if Agent DiNozzo hadn’t come along and noticed you weren’t alone in the house? What if the second person hiding upstairs had been dangerous and overpowered you? What if she’d been a murderer? Oh wait…my bad! She was dangerous; she was a damned murderer!”

Gibbs had the grace to look a little chagrined but he still tried to justify his lapse. “Maybe, but she was just a little old lady.”

“She might be a little old lady but she still killed two fit Marines; strapping, young guys in their twenties Gibbs, so don’t try to convince me she was harmless. Let’s face it, you aren’t twenty anymore and Cate wouldn’t have been expecting to be accosted. Especially if Dr Chambers had a syringe loaded with digitalis. Luckily she didn’t – but the point is that she could have.”

Tom fixed him with a stare he usually reserved for probies, cold and full of contempt. “You’re supposed to be protecting the rookie agent’s six, not to mention setting an example for her on how to effect a proper search. How the devil could such an experienced agent, a damned team leader, make
such a boneheaded move as not clearing the premise?” His question was rhetorical since he knew Gibbs only too well. He wasn’t about to apologise to anyone for screwing the pooch.

“And what was it that tipped off DiNozzo, since he had no way to know that you hadn’t cleared the scene. In fact, I’d go so far as to suggest he’d assume that you had done so…since it’s standard operating procedure. And for a damned good reason.”

Gibbs, clearly unamused to be taken to task for such a rookie mistake, rolled his eyes. “Said he smelt the perfume Esmee Lord. I swear, he’s got a nose like a god-damned bloodhound.”

“So?” Morrow queried failing to see the significance and mentally correcting the Estée Laude malapropism. Surely after four wives Jethro should have heard of such an iconic perfume.

Shrugging Gibbs growled, “Says it’s an old lady’s scent. Noticed that the Doc was wearing it when they interviewed her.”

“That’s a pretty impressive sense of smell.” Tom was amazed, since his own sense of smell was pretty poor. Freshly ground or brewed coffee and freshly mown grass were the extent of his ability to catalogue scents – certainly he couldn’t recognise and identify individual perfumes.

“Yeah he brags he’s like some damned stupid TV character called a ‘sensual’ because he’s got 20/10 eyesight, ears like a bat and can recognise a perfume as soon as he walked through the door.”

Tom Morrow chuckled. “I think you mean a sentinel, Gibbs.” Shaking his head about the cluelessness of the man, his thoughts returned to the case. Becoming serious again, he resumed discussing what had transpired. “So you still haven’t offered an explanation about your failure to follow the most basic of procedures when conducting a search. Do I need to send you back to FLETC?”

Gibbs glared at him – he hated to be criticised and it was clear that he couldn’t see what all the fuss was about since it had all worked out. Tom sighed, feeling that incipient burning feeling rising up in his chest, signifying the heartburn that he often suffered from, usually after dealing with Leroy Jethro Gibbs.

“So let’s get this straight? The three of you went to Melissa Dorn’s home to serve the search warrant. Then you split up, after ordering DiNozzo to go and search the barn on his own while you and Todd went into the house. Apart from getting her finger prints on the glass, you didn’t search, you didn’t bother to clear the premise.

“Not only did you fail to clear the premise, but it obviously never occurred to you that sending DiNozzo out to search the barn on his own was stupid, Jethro. What if there had been someone dangerous out there hiding…like the killer or an accomplice? Why didn’t all three of you clear the house and then the barn together, before commencing the search?

“Alternatively, why the blazes didn’t you borrow an extra agent; I’m sure Tony could have found another agent to help serve the search warrant.”

Seriously, Tom sometimes wondered if Gibbs was subconsciously trying to get rid of DiNozzo by placing him in high risk situations since it happened so frequently. If he’d genuinely felt it necessary for anyone to work solo, then he as SSA should have been the one to do so. Of course in this situation, it hadn’t been necessary because somebody could easily have helped out with their search or they should have cleared both locations together.

“Tell me Jethro, why do you insist on putting your SFA in harm’s way at every turn? It's beginning
to lend credence and fuel all the scuttlebutt that you have sexual interest in Todd and are trying to clear the way to make her your SFA regardless of the fact she isn't qualified.”

As well as sending him back for some refresher courses he decided to send the SSA off to see the agency shrink. Explore why he found it necessary to put DiNozzo into dangerous situations when it wasn’t absolutely essential. He smirked at how much Jethro would love that!

“DiNozzo does his best work without distraction,” was Gibbs’ brusque if inadequate response.

“Are you sure it wasn’t so you could go back in and flirt with Melissa Dorn one last time or maybe to make Agent Todd jealous?” Tom goaded him, angry that Gibbs failed to understand the absolute seriousness of the situation. Agency protocols were there for a damned good reason.

He was team lead – he had a duty of care to his agents, not to needless risk the safety of his people. Law enforcement was already an extremely dangerous business; they often asked their agents to risk their lives and sometimes they paid the ultimate price. Sometimes there was no other way to save innocent lives but they had a responsibility to mitigate risk as much as possible. Certainly there was absolutely no excuse not to follow procedure when carrying out routine duties such as searching premises.

The director also knew, unlike Caitlyn Todd, that once Gibbs suspected Dorn’s involvement that he wouldn’t be attracted to her, or more to the point, he wouldn’t act on any attraction. He took a very dim view of anyone killing Marines – like it was a personal slight. Still, Morrow also knew that Gibbs would have taken perverse pleasure out of toying with the flirtatious woman and trapping her into incriminating herself, since he got off on mind games. That desire to one-up others should never get in the way of him doing his job though and yet, clearly - it had!

Glowering at him, Gibbs responded sarcastically. “That it, Di-rec-tor?”

“Actually, no Gibbs, it isn’t. Grab a coffee and cool your jets because this isn’t over. Not by a long shot!” Picking up his phone, he made an internal call to someone in the building.

“Yes, this is Director Morrow. About that matter we discussed earlier? Can you both come up to my office now to discuss it with Gibbs? Yes, he’s here. Excellent!”

Gibbs grabbed a cup of coffee, impatient to get back to the bullpen, even though there were no active cases pending. Tom knew full well that Gibbs didn’t appreciate being taken to task or asked to justify his actions. Well that was tough – you screw the pooch and you get your ass kicked, no matter who you are.

There was a knock on the door and a stockily built man with a receding hairline and a petite Eurasian woman with long black hair entered, carrying files. Tom shook hands with them before addressing Gibbs. “Special Agent Gibbs, I’m sure you know Joe Landers, Head of Legal and this is one of his young guns, Michelle Lee.”

Gibbs nodded at them somewhat sullenly, since he was well known for his dislike of lawyers and Tom ordered them all to sit down together at his large conference table. The senior supervisory agent looked supremely irritated, complying impatiently.

“We have a problem with the search warrant.” Michelle Lee stated baldly getting straight to the crux of the matter.

Tom grinned surreptitiously. Obviously she’d been well briefed on Gibbs’ lack of appreciation for people beating around the bush. He’d heard good things about Lee, but she was still young and
nervous. She’d season with time of course.

Gibbs gave the young lawyer the dreaded evil eye. “What problem?”

“Well for starters, Special Agent DiNozzo failed to mention the secondary sample for the sycamore seed in the paperwork he submitted when he requested the search warrant for Melissa Dorn’s house. I didn’t find out about it, not until I received Dr Sciuto’s final forensic report on the DNA of the sample at the crime scene. It was the match to the one from outside Melissa Dorn’s house which convinced Judge Wilks there was sufficient probable cause to issue the search warrant.”

Three sets of eyes stared at Gibbs who shrugged. “Probably because he didn’t know about it. Todd was with me when I collected the different samples to test against the trace we found in the victim’s boot. Why is that a problem with the warrant?”

Michelle ignored the question. “Tell me Special Agent, are you in the habit of collecting multiple samples to conduct blind studies for your forensic scientist?”

“What? No of course not. So what is this about,” he growled, angry at what he obviously considered a minor detail.

Lee looked flustered. She was a fine young lawyer, Harvard educated, but anxious, flighty and still quite inexperienced. Frankly Gibbs was perfectly capable of intimidating even seasoned lawyers, so Tom wasn’t surprised to see her struggling to maintain her composure.

Joe was also watching closely his protégé and decided to step in. “So just to be clear, in a shooting, when you locate a bullet that might be part of the crime scene, you don’t collect a second bullet that wasn’t connected to the crime, do you? You don’t then give both of the bullets to the forensic lab technician to test? When you find tyre tracks at a crime scene and you find a vehicle that you think might have been at the crime scene - when you collect mud from the tyre tread do you also take a trace mud sample from a vehicle that is not suspected of being involved? You know…for a blind test.”

Gibbs stared at the head of the legal department, huffing in annoyance. “No, why would I? It would slow down processing of the evidence and send expenses through the roof, obviously. But what does that have to do with anything?”

“Then why the devil would you collect a second sample in this case, Gibbs?” Landers demanded.

“Because I thought the whole idea of DNA for trees was…hinky. I didn’t believe it…okay? Is all this crap of multiple samples, just because Abby was pissed off at me?”

It was Landers turn to scowled. “No Agent. It’s about you deviating from standard operating procedure when collecting evidence on this case. It’s about the fact that you have doubts about the efficacy of the evidence. It’s about the fact that the defence will argue that having more than one sample could have resulting in them being mixed up. I’m talking about the real possibility that the judge will toss out the warrant as being obtained with flawed evidence, which is what the defence will argue.

“If the judge hearing the case against Melissa Dorn and her mother Dr Chalmers declares that you didn’t have probable cause to search, then the whole case falls apart. You won’t have Melissa Dorn’s fingerprints, or the forensic evidence that Special Agent DiNozzo collected in the barn showing that a body was dismembered there. Plus, any admissions they made could be withdrawn as being obtained under duress by a halfway competent attorney. We could lose this case.”
Michelle had earned a second wind and she chipped in, “Not to mention that it could cause all prior cases to be reopened to scrutiny to determine if you’ve deviated from procedure when collecting evidence or requesting warrants.”

“Over a piddling little seed sample? C’mon.” Gibbs scorn had left many a probie needing to change their underwear.

Michelle Lee plucked up her courage to respond. “It isn’t the sycamore seed per se, Special Agent Gibbs. It is the departure from SOP which is the problem. It will be the fact that when the defence ask you why you deviated and you have to tell the court under oath that you wanted a blind test because you didn’t believe the results of the test. Then they’ll ask, if you didn’t believe in the efficacy of the forensic test, then why should the court.

“Plus, they’ll no doubt ask you if you can guarantee that there is no way that the samples didn’t get mixed up - either during your collection or back at the lab. Which, by the way is a loaded question because if you say no there’s no way it could have, then you look like either a fool or a liar because there is always a chance, even if it is infinitesimal. If you say yes but it’s highly unlikely, then it still helps them to cast doubt about the positive result of the test. The test that you used to gain the search warrant in the first place but didn’t have faith in – hence the blind test.”

Snorting Gibbs rolled his eyes. “You’ve got to be kidding me! This is ridiculous.”

Tom decided it was time for him to earn his pay check. “Ms Lee, you can return to whatever you were doing when I asked you to up here. I appreciate your time and assistance on this matter. Joe, if you and Gibbs could stay behind, please.”

Michelle nodded and gathered her legal files deftly, rising and departed from the office discreetly. Tom, unlike Gibbs was not a fan of delivering a dressing down in the presence of subordinates, which Michelle Lee most certainly was. Joe Landers on the other hand was a departmental head, so it wasn’t against protocol for him to be present while he ripped into Gibbs. While he usually chose to address disciplinary issues without others present to avoid loss of face, in this case he felt that a little humiliation was definitely well deserved.

Steeling himself for a bruising stoush, he faced down his senior supervisory agent. “I’m sorry Special Agent Gibbs, I was not aware that you possessed qualifications in the field of forensic science.”

“Damn it, Tom. You know I don’t.” Gibbs grunted.

“My bad… I guess I assumed that you must have some degrees I wasn’t aware of since you obviously felt competent to make judgements about what tests had empirical efficacy. Forget the fact that those forensic tests have been developed by professionally trained forensic scientists and are subject to rigorous peer review by experts in the field of forensics. Far greater oversight than the picayune test that you decided was necessary to convince you that plants had DNA and individual seeds could be traced back to the tree of origin by comparing their DNA.”

Joe interposed, “Perhaps Agent Gibbs has never heard of Google but surely he is aware there is such a thing as a library, where he could have researched the topic of plant DNA. As someone well versed in testifying in court as an expert witness, you could have sought out a subject matter expert and asked their advice. Any of which would have been preferable to this ‘blind test’ and not threatened the case.”

I realise in your own mind Special Agent Gibbs, your opinion is of utmost important, however in the grand scheme of things, you’re simply a pissanit little federal agent with an overly inflated sense of your self-worth. A dime a dozen, especially to the judges who make judgements on cases based on
the rule of law. You know, your inability to understand something so fundamental to the tenets of investigation begs the question – how the hell are you leading the MCRT?”

Tom retorted sarcastically.

Joe decided to throw in his two cents worth. “That is the law of the United States of American and not the ‘Rules of Leroy Jethro Gibbs’, just to be perfectly clear here. They won’t cut in a court of law.”

“I don’t care if you thought it was hinky, Gibbs – you’re not the arbiter of what is or is not acceptable. We actually have statutory authorities to certify our forensic facilities and oversee our processes. So you can stand down and let them do their job.” Tom growled, frustrated that such a simple case could be thrown out on a technicality.

“Your job is to investigate crimes and to that end, to gather evidence while following SOP that doesn’t contaminate the evidence or impede the pursuit of justice. Do you think I understand every little detail about everything that goes on within the agency? I don’t need to; don’t need to micro-manage every single aspect of the day-to-day running of this place. It’s not my job.”

He contemplated his agent gravely. This was not going to be pretty but that’s why he got paid the big bucks. “The mistakes that you made on this case, which wasn’t exactly the most complicated of investigations, are extremely serious, Jethro. It concerns me greatly that such a simple case should see you struggling to follow not just agency protocols and procedures, but basic law enforcement statutes too. Which makes me extremely concerned about you and your team’s comportment on more complex cases.”

It made Tom question the wisdom of having a MCRT where only one member of the team had a true law enforcement experience.

“You are, after all, the major case response team and that means you get assigned the major cases, which, shock horror, are highly complex and often very high profile. I cannot afford to have you screw them up. Closing a case is all well and good, but unless we can make the charges stick and get a conviction, it doesn’t mean diddly squat. One lapse on this case…maybe I might have been able to overlook it or resorted to a formal reprimand but I can’t ignore this; I won’t ignore this.

“This will not happen again. Special Agent Leroy Jethro Gibbs, I’m sending you back to FLETC to retake some specific courses since you seem to have forgotten what the responsibilities of your job are. And since, in your infinite wisdom you chose to hire an agent for the major case response team with no investigative experience or training, Probationary Agent Todd can accompany you and take some basic courses too.”

When Gibbs started protesting about the team, he waved away the objection.

“DiNozzo and Pacci can cover for the MCRT in your absence and if they need more manpower, I have every confidence in them that they’ll have the good sense to ask for it.”

Gibbs was clearly furious and Morrow knew the loss of face would be intolerable for the alpha male but that was too damned bad. You do the crime you do the time. Yet Tom was not an unreasonable man, either. “This is not punishment – I’m rectifying a problem that has been identified which threatens the agency. This IS happening whether you like it or not, so suck it up Marine.

“After you have successfully completed those courses to your instructors’ satisfaction you will then report to the NCIS psychologist to determine the reason why you seem compelled to keep placing your SFA in imminent jeopardy without good reason. Until I’m convinced that you have resolved
this issue to Dr Haskin’s satisfaction, you’re banned from field duties.”
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“I’m telling you, those arrogant Navy cops fucked up the crime scene.” The painfully thin Fibbie grumbled, his deep-set brown eyes expressing anger. He was talking loudly enough for the two men sitting at the table behind them, eating lunch to sit up and take notice of their conversation. “We’re so damned lucky the case never had to go to court or we’d have been up Shit Creek without a paddle.”

“Tell ‘em how’d they fucked up the crime scene, Dennis.” The florid-faced agent entreated his partner solemnly as he ran his hand through his strawberry blonde hair, arranging it to try to disguise his receding hairline, and fooling no one.

“Didn’t they process the scene properly?” A mousey blonde, enquired curiously.

“No, not their crime scene, Caro…ours. They stole our evidence from the second murder scene. Our crime scene,” Dennis stated baldly. “Friggin cowboys!

“They what! What did they steal, trace evidence?” The female agent demanded indignantly, her voice raised as the whole restaurant turned to stare at her.

“Shhh!” Larry hissed at her.

“Nope. They swiped the damned bullet. While that butthead Leroy Gibbs kicked up a stink about it being their crime scene because the vic. was a Marine…blah, blah, blah. Meanwhile, he’d ordered his team to find the bullet. They removed it from the scene right under all our noses, then took off
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like bats out of hell before we realised what they were up to,” Dennis explained distastefully.

“I heard they stole a cadaver from us.” A compactly built Latino man, finally decided to weigh in on the discussion. Up until that moment he’d been focused solely on shovelling vast quantities of Gumbo into his mouth.

“Naw. That happened last September, Raul. Ya know…the poisoned Marine on Air Force One in Wichita.” Dennis snorted, disgustedly. FBI memories were long and equally unforgiving. Particularly when it came to them being made to look foolish and incompetent by an insignificant bunch of feds from the Naval Criminal Investigative Service.

“The unsuccessful attempt on the POTUS? That really happened? I thought NCIS stealing a cadaver was just an urban myth,” Caro chimed in, somewhat incredulously.

“Oh it happened, alright. They managed to hijack the plane and fly it back to DC and when we went to take custody of the body, they pulled a switcheroo. Had that lap dog of Gibbs’ hide in the body bag instead of the corpse so their ME could spirit it away, right under Fornell’s nose. Talk about a laughingstock.”

“Gibbs lap dog, isn’t he the one that shot the sniper? DiNardo… DiNardi?” Raul asked in between mouthfuls.

“Yeah…that’s the one. Lucky shot.”

What makes you think that?”

I’ve heard stuff. He’s an ex-cop. Gibbs recently hired a Secret Service agent, a profiler to replace his SFA, rumour has it.” Dennis stated. “Might explain why he didn’t even bother giving DiNardi backup for the stakeout. He was on his own when he went after the killer. Nearly got shot too.”

Florid Larry looked repulsed. “Maybe there’s a good reason why none of the Navy cops want to work with him, and why Gibbs wants him gone. They’re part of the military after all and they’re big on the whole ‘Don’t ask don’t tell’ crap. Just saying, they don’t like his type.”

Dennis leaned forward. “You’ve heard he’s a fag, too? He put the moves on you, Larry?”

Larry flushed bright red. “Hell no! I’d have rearranged his face if he’d tried anything like that with me. I’m no fag-lover. Actually, it was Gibbs’ profiler chick. She was making cracks about his undercover costume and The Village People over the comms while we were all on the stakeout with Gibbs posing as Marine recruiter bait.”

“Still that doesn’t prove anything,” the female agent objected immediately. “Certainly doesn’t mean he’s gay. She might not like him and be yanking his chain, especially if she wants his job.”

“Yeah but that vampire freaky chick – their lab monkey, Scuito was teasing him about dating his high school music teacher who was a guy. Plus, have you seen him? He’s one of those pretty boys, always worrying about what he’s wearing.” Dennis observed mockingly, his off-the-rack cheap suit badly stained with ketchup from the steak he was eating.

Caro looked at him, repulsed. “Imagine that!” she quipped.

Impervious to her barb he continued. “Besides, why else would everyone at NCIS refused to ride along with him? Gibbs was probably hoping that the sniper would shoot him, save him going to the trouble of firing him and having to fill in all the paperwork. After all, from what I hear, it wouldn’t be the first time he’s put him into dangerous situation, like bouncing down the beltway in a body bag.”
Dennis chuckled before something else occurred to him.

“Hey do you reckon that he made a pass at Gibbs?” he asked his fellow diners.

“If he did, then he’s even dumber than he looks. Gibbs is a sniper and word has it that the Second B for bastard is sleeping with his profiler.” Larry wiped the sweat from his face with a dubiously clean handkerchief, flushed from the spicy marinated ribs he’d just consumed.

Raul had the last word on the subject. “Not to mention Gibbs is a Marine. He’d rip his balls off he tried to put the moves on him.”

The foursome looked at the time and hastily called for the check, departing in a hurry, still unaware that their whole conversation had been observed and recorded by one of the two diners sitting behind them.

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Pete Watson cut into his medium rare steak which had just been delivered to their table and glanced over at his old friend, Tom Morrow. Every second month, the pair met up for lunch to catch up – work permitting. They’d formed a friendship more than two decades ago and were still as close as ever. Peter was now an associate director at the Department of Homeland Security and catching up was often tricky, but definitely worth the effort. They’d both learnt that their work would always get in the way of personal relationships if you let it, so unless there was an imminently impending terrorist attack, their catch-up lunches were sacrosanct.

While they ate at a number of establishments around DC, this unpretentious and welcoming bistro – LBH was a favourite. It served excellent steak and seafood dishes and was always booked out well in advance. Not only was the food great but the service was speedy – a definite plus for business lunches. Clearly they weren’t the only ones in the DC law enforcement community to appreciate its good points, either.

Unfortunately, the four federal agents at the table near theirs’ weren’t being exactly circumspect and Tom and himself had been privy to pretty much their entire conversation. Frankly, Pete couldn’t say that the conversation they’d just overheard made him feel happy.

He looked across at the NCIS Director, who’d listened in to the four FBI agent’s conversation. “Did you know about this?”

Tom looked particularly grim. “Some of it, obviously. I knew that we investigated the first Marine recruiter shooting of course, and that we set up a sting with the Fibbies to catch the perp after the second one went down. I also knew that the FBI had taken custody of the second Marine and the crime scene and that Gibbs was pissed off about it. I was aware NCIS had the bullet from the second murder - but I just assumed that was because we processed the first bullet so it was an issue of standardising the ballistic evidence. That plus the fact that our forensic scientist is a foremost ballistics expert, so it seemed natural and logical that we should process it too. I didn’t know about their unauthorised removal of the bullet, though.”

Watson scowled, looking sickened. “Much as it pains me to have to agree with those jerks about anything, those guys were right about one thing, Tommy. If the sniper hadn’t been shot and killed and the case ended up in court, he probably would have been acquitted. That or at the very least, the DA would have had to drop the charges for the second murder. Having two federal agencies fighting
over a body and stealing evidence is inexcusable. Dear Lord, have we all learnt nothing at all after 9/11 when it comes to idiotic, blind competitiveness between law enforcement professionals. It’s not about us…it’s about the victims and their families.”

Morrow looked ill too. “This is a continuation of the whole business of one upmanship on Air Force One. It has to stop before it goes any further.”

Pete nodded. “Absolutely. We need to come up with effective protocols for inter-agency cooperation and we need to set a good example for our underlings. By the way, are you going to eat that?” he indicated his friend’s untouched grilled salmon.

Morrow took a bite of his food absentmindedly, his expression conveying that as per normal, the meal was well prepared. “I agree with both your statements, Pete. Perhaps we need to plan some joint training exercises between the various agencies to promote cooperation. Maybe come up with some exchange programs and swap personnel.”

Watson snorted. “Exchange programs? You just want to foist Gibbs off onto DHS or the Fibbies and get him out of your hair for a bit. That’s hardly going to engender inter-agency cooperativeness and goodwill, old friend.”

Tom smirked. “Well yeah, I’ll admit that it does sounds like a pretty attractive proposition but I was actually thinking that I could send Gibbs’ profiler to the FBI and see if they could retrain her or something. Not sure what the Secret Service’s idea of profiling is but if she’s typical of the calibre of profilers they’re producing, well then we’re in deep shit. Don’t think she could profile her was out of a paper bag.”

“Oh c’mon Tommy, she can’t be that bad, can she?” Peter quizzed his friend optimistically, assuming that Morrow was being overly negative about the psychological profiler.

Noting his old friend’s pained expression, he frowned. “She can be that bad?”

Tom pulled a face that indicated in the affirmative. “You tell me, Pete old-man. The BFF bomber – Todd signed her out of hospital and took her home after she was found buried in a grave with amnesia and Todd bonded with her. Saw her as a harmless victim in need of milk and cookies. Then she drove her over and escorted her up to her office so she could collect the explosives to blow up the foyer and the CEO – her ex-lover who jilted her when she wanted him to divorce his wife. Her harmless victim, I might add had already killed BFF’s security chief when he terminated her services.”

Watson winced. “That’s bad!”

“Well… yeah… and in her first month, she fixated on proving a young seaman hadn’t committed suicide because he was Catholic and they don’t kill themselves cuz it’s a mortal sin. Problem was that she also failed to pick up on the fact that he left a bomb on board the USS Foster to take out people he viewed as threatening him. Gibbs’ team got to the Captain just in the nick of time to save his life but not to disarm the bomb.”

“Ouch!”

“Yeah huge freakin repair bill. Pissed off Navy! Plus, another case she worked on specifically as a profiler, Todd failed to identify an eco-terrorist, even though the suspects had been narrowed down to a handful of individuals. That time we nearly lost a nuclear sub and its entire crew, except that Gibbs realised literally at the eleventh hour why the terrorist committed suicide when word came over the radio, identifying the imposter. He didn’t kill himself to evade capture; it was part of his
backup plan involving him swallowing the device, knowing he’d be stored in the sub’s freezer, causing the device to trigger, releasing the gas.

“Let me guess, the eco-terrorist wasn’t Catholic, so she just assumed he’d committed suicide? Damn it Tommy, that is bad!”

“Tell me about it! And then,” Morrow continued, “There’s this sniper case with the Marine recruiters. If the killer hadn’t left a calling card – a white feather - they wouldn’t have known that the killer had been there, despite her being in the recruitment office for the express purpose of identifying the killer. She focused exclusively on the people coming in to meet with the recruiter and totally overlooked individuals making service deliveries to the office.”

Peter pursed his lips. “Okay, fair point. Bad is probably an understatement. Perhaps the Behavioural Analysis Unit will consider taking her on as an intern.”

Morrow nodded. “Jason Gideon has a way with apprentices. Maybe if they take Todd on and train her, I can volunteer Jethro for firearms training of their agents. He can whip their lot into shape on the firing range.”

Peter looked at him with concern, "So do you think the scuttlebutt the Fibbies heard is right and Gibbs only has her on his team because he has the hots for her? If she is that bad I am surprised that she is still on the team, Gibbs has a reputation of not tolerating incompetence."

"I don't believe that is the case," responded Morrow diplomatically. "Gibbs has always had a soft spot for women and he’d be loath to admit that he made a mistake hiring her, especially since she had no investigative experience and the only thing she had to offer was as a profiler."

“Yes, I believe you’ve mentioned his ludicrous Rule 6 before; apologies are a sign of weakness. I would assume that it also extends to admitting he’s made a mistake?” Watson scoffed at the sheer outlandishness of the idea.

“Exactly. However, I must admit, every time he puts DiNozzo in a dangerous situation it makes the team dynamics look hinky.

Tom tucked into his fish, resolving to have an urgent discussion with his opposite number at the FBI about their antagonistic approach to the Marine Recruiter Killer case. Since NCIS had already begun investigating the case with the first killing, it was ridiculous for them not to form a joint task force rather than try to throw Gibbs team off the second crime scene.

While he couldn’t condone the MCRT misappropriating ballistic evidence, if the FBI hadn’t been so bloody-minded, they could have processed the scene together. Pete was right – this one-upmanship had to stop and they had to lead their people by example.

He also urgently needed to talk with Gibbs about how he obtained the bullet. Unfortunately, Gibbs only tended to worry about getting what he wanted and about solving the cases, his way. He wasn't exactly worried about the legal requirements if they got in his way of solving the case quickly. And that led to a number of cases being thrown out and not resulting in actual convictions. When that occurred, Gibbs just blamed the lawyers for letting evidence get ‘thrown out of court’. Jethro needed to clean up his act too.

Tom glanced across the table at his old friend who seemed to be enjoying his meal, even if he was preoccupied. “Something else on your mind?”

Watson swallowed another piece of beef, savouring the umami juices decadently stampeding over
his tastebuds. “That agent of yours, Tom. Was he already out of the closet prior to this op.?”

Morrow started in surprise. “DiNozzo? As far as I know he’s straight.”

“Not according to that scuttlebutt. Have to wonder what your profiler and Abigail Sciuto were thinking, making remarks about a colleague’s orientation over shared comms on a stakeout though.”

Tom protested feebly. “Surely they were mucking around, just having a joke, Pete. You know how that goes on a stakeout. You’re not suggesting that there was malice behind the teasing?” Even as he said it, he conceded it sounded a lame and pathetic rationale…more like making excuses.

“C’mon Tom. You know how homophobic certain sections of law enforcement are – like some sections of the military. You don’t joke about someone’s sexual orientation when you’re around cops and agents, especially if you don’t know them well. And since your profiler worked protection at the Secret Service and Scuito deals with agents on a daily basis, both of them should know better.

“All it takes is a whisper that an agent isn’t straight and it can spread like wildfire and ruin their career or a lot worse. Add to that the insinuation that Gibbs wants to replace DiNozzo with Todd but, according to you, she keeps screwing up…are you sure that there was no malice?” Pete questioned him dubiously.

The NCIS director scowled, realising that this was a topic close to his friend’s heart. Pete had been forced from the field when the rumours and innuendo about him being gay persisted and he was often left without a partner to work with or worse, without backup when things got hairy. Then there’d been a couple of unexplained ‘muggings’ that TPTB realised were probably gay-bashing by Watson’s colleagues since they’d supposedly taken place right in front of headquarters, by unknown assailants because he’d steadfastly refused to identify anyone.

The ‘solution’ had been to offer him a job in management which was a great loss for all, since he was an excellent field agent but the bottom line was that they couldn’t guarantee he’d be safe, working in what amounted to a homophobic workplace. At least in the office, anti-gay bigotry wouldn’t endanger lives, Pete’s and innocent members of the public who got caught in the middle.

Something occurred to Morrow and he groaned. Pete looked at him quizzically. “What?”

“DiNozzo was the one that took the Marine sniper down. Shot him in an alley – almost got shot himself. The Fibbies conveniently turned up just seconds after it was all over and I never thought anything of it…until now. DiNozzo said they couldn’t get rid of his ass fast enough – kicked him off the crime scene. I simply put it down to competitiveness; after all this whole case has been ultra-competitive between the two agencies.”

Pete looked grave. “But now you’re wondering if the FBI were already there, waiting but hanging back, hoping he might get into trouble because they think he’s gay? It’s possible, I’m afraid. It wouldn’t be the first time and it definitely won’t be the last time.” He absentmindedly took a piece of potato and used it to soak up juices from his beef, before placing the morsel in his mouth and chewing it distracted.

Tom cursed, the expression in his eyes was one of desolation. It could just be a coincidence but one of Gibbs’ unwritten rules was that there was no such thing as coincidence and he didn’t really believe in them either. Regardless though, he simply couldn’t afford to take a risk. “Damn it, Pete. This sucks!”

His friend chuckled mirthlessly. “Tell me about it. So what are you planning on doing now, Tom?”
Stabbing pieces of salad viciously, before inspecting then eating them, he considered his options grimly. Not that there were all that many – he was always going to have to put the safety of his agent first. Finally, he responded. “I have a duty of care to DiNozzo. If I have the slightest concern that he was left without backup on the takedown of the sniper this week, I have to ensure it doesn’t happen again.

“I need to consult with the director of the FBI. There’ll need to be an inquiry into the takedown, conducted by Internal Affairs obviously to determine if their agents deliberately failed to provide backup to DiNozzo.”

"Are you also going to clean up your own house, Tom? Find out why Gibbs sent him in alone and why the open mic conversation by Todd and Scuito occurred?” Pete asked.

"Absolutely, it goes without saying that I’ll be speaking to my own people. The whole situation will need to be part of the IA investigation."

“And if it was deliberate?” Pete gently pressed his friend, sipping his sparkling water and trying to sound dispassionate rather than overly invested.

“I’ll have no other choice but to transfer him for his own safety. He’s an undercover expert, so I can send him into OSP or maybe I could transfer him to the West coast where he could make a fresh start or if that isn’t practical, then I’ll offer him a position in Europe. He speaks Spanish and Italian so he’d fit right in but the point is he shouldn’t have to transfer.

“Damned straight!” Pete replied emphatically, indicating to their waiter that they’d like the bill now.

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The director had summoned Gibbs as soon as he’d returned to the office. Now he was regarding the team lead of his MCRT with disfavour. He’d get to the issue of stealing of the ballistic evidence in a minute. Right now he needed to know something that had been bugging him since he’d finished his lunch and his protection detail had driven him back to the Navy Yard.

“Tell me, Gibbs. Is the reason why you had DiNozzo on solo stakeout instead of organising another agent to be his backup because he’s gay?” Tom demanded harshly, hoping that the recent trend of Tony being placed in jeopardy by his supervisor or getting injured wasn’t because of gay bashing.

Jethro snorted. “DiNozzo’s not gay, Tom, so why would you think that? What’s this about?”

Tom described the portion of the conversation he and Pete Watson had overheard regarding DiNozzo and FBI speculation concerning his sexual orientation. The director was surprised to see Gibbs exhibiting that half smile of his that suggested he was amused, or that he knew something you didn’t know.

“Care to share, Jethro?”

“He’s a she.”

“He who?” Morrow questioned, feeling confused.

“The high school music teacher. He’s not a he…he’s a she – her name’s Wendy Miller.”

“And you know this how?” Tom asked, wondering why Gibbs would know such an obscure piece of intel. He knew that Gibbs expected that his agents wouldn’t keep secrets from him, but being able to pull his agent’s high school teacher’s name out of his butt like that…it was just plain creepy.
“She was his fiancée.”

“Tony was engaged to his high school music teacher? The one that left him at the altar after he joined NCIS and she broke his heart?”


“Okay, so why would Abby say something that was obviously false? And what’s with her and Todd making all those cracks about Village People and insinuating that DiNozzo is gay?”

“Teasing.” Gibbs unknowingly echoed his own inadequate rationale with Pete earlier at lunch and he realised it didn’t sound any better the second time around.

“C’mon Jethro. There are some things you don’t joke about…not when you’re on a stakeout and on shared comms with a bunch of law enforcement agents you don’t know. They should know better than that…they do know better, so what the hell were they thinking?”

Not giving Jethro a chance to make any more weak excuses that neither of them believed, he moved on.

Shaking his head, he glared at his senior supervisory agent. “Based on what we overheard, I have no choice but to institute an IA investigation into whether the FBI agents deliberately left him to face down the perp on his own because of their perception of his sexual orientation. And IA will be wanting answers from Dr Scuito and Probationary Agent Todd too in regard to their inappropriate conversation. At a minimum it is sexual harassment, and worst case scenario, it could be construed as intentional slander with malicious intent.”

“See the thing is, that at the end of the day, whether DiNozzo is gay or not doesn’t really matter as much as the perception of others that he is. If the DC law enforcement community chooses to believe it, then convincing them otherwise is next to impossible. I’m sure you’ve seen analogous situations in the Marine Corps, which is why the most likely outcome is that Tony is going to have to transfer off the team for his safety.”

He scowled at Gibbs when he started to protest. “Take it up with Scuito and Todd. Expect to be asked to defend your reasons for not giving Tony a partner on the stakeout. It didn’t escape my attention that you didn’t provide an acceptable explanation about that either. All this is beginning to smack of intent, what with all the scuttlebutt about you and Todd that is going around. Again, even if there is no truth to the rumours, this is all about perception and appearances rather than fact. Don’t be too surprised if you also lose Agent Todd due to the appearance of her bias and her lack of judgement.”

“And it also goes without saying that I’ll be wanting to know how you thought that stealing ballistic evidence from the second crime scene was in any way acceptable actions for federal agents or how it would have played out in court when the defence rightly questioned the chain-of-custody. Starting right now, you’re going to be held accountable for evidence that gets thrown out of court as a result of you failing to follow procedure because you think you’re above the law. This agency is going to look at conviction rate and not just solve rate to determine the top team at NCIS.

In the meantime, get out of my office so I can make some calls…and tell Agent DiNozzo, I want to see him in an hour.”

Coda

April 14th 2004
Chris Pacci stretched out in his home office chair, enjoying the balmy spring evening as he powered up his home computer. The senior supervisory agent had finally headed off home after a day, mostly filled with boring paperwork, interspersed with a pro-forma late afternoon meeting with the Special Agent in Charge, Leon Vance to round out a super tedious day. By the time he’d finished his meeting, Chris’ SFA, Anthony DiNozzo had already sent the junior members of the team home and kind-heartedly completed Pacci’s last few forms.

He’d left them on his desk to be signed before he’d departed too. It meant that Chris was able to make a speedy exit from the office after adding his signature. It was little things like that which made Pacci realise what a gem he had in his new senior field agent. One of these day’s he’d talk Tony into revealing what was behind his annoyingly effective axiom ‘work smarter not harder’ so he could adopt it too.

It was three months since Chris had heard the news that Tony was being forced into leaving DC due to ugly rumours regarding his sexual orientation which were running rife in the law enforcement community. Furious that the young agent was being forced off the MCRT through no fault of his own, Chris had made an appointment to see the Director. He’d offered to partner with DiNozzo if he chose to transfer to the West Coast since Pacci had no family ties in DC. He did however have a couple of cousins, twice removed, who lived in Oregon which meant if he was on the west coast he’d get to see them more often.

The last of his DC team, his former probie Cassie Yates had left his team last year to concentrate on undercover work and he was currently stuck investigating cold cases. Not that there was anything wrong with them but he just preferred working on active cases. So the experienced agent felt like there was nothing keeping him in DC, apart from a couple of cases which had been nagging at him for eons. Still, there was no guarantee that they’d ever become active.

One was a break and enter that had gone bad when the wife of a Marine Master Sergeant had returned home in the middle of the burglary and been shot in the head. She was still in a coma and Chris had never managed to charge anyone for the crime, despite expending many hundreds of hours of work on the case. He was hoping that eventually someone who knew something would come forward, their conscience finally getting the better of them.

The second albatross around his neck was the case of 12 million dollars that a Lieutenant Commander Voss had embezzled, yet Chris was never able to successfully track down the money. And then when Voss died in a fiery car crash, the case seemed to die with him, much to Chris’ frustration, not to mention the Navy. But hanging around DC on the off-chance that one day he’d get a hit on either case was ridiculous, especially with Tony facing banishment for something that other people had caused.

The truth was that when Chris looked at the crap-fest that was Tony’s life, he saw a promising young agent and felt it was a case of ‘there but for the grace of god go I’. That it could so easily have been him, rather than DiNozzo. He’d never been married and any relationships he had with females, he’d been incredibly discreet about, some people might go so far as to say obsessively so. In fact, it would have been easy for his colleagues if they’d bothered to notice him, to reach the conclusion that he was gay but fortunately, Chris was a quiet, steady sort of guy, rather than brilliant. He knew others saw him as a solid, dependable type but not the sort that anyone was threatened by or noticed overly much. He simply wasn’t the sort of agent to set the law enforcement world on fire, rather the kind who flew under the radar.

Not like DiNozzo, who attracted attention whether he wanted it or not. What with serving under Gibbs and being recruited from the Baltimore PD to the MCRT…being one of their youngest detectives on record, a genius at under-cover work, a talented investigator. Then there was his
outward appearance of living a charmed and privileged life - his great grandfather building up a million-dollar trucking empire probably having something to do with that impression. The DiNozzo fortune had apparently been expanded and diversified by each successive generation, until Tony. Plus, there was the fact that the kid looked like a model or a movie star and had a supposed social life to match. A helluva lot, on the surface anyway, for other people to be envious of.

So he and DiNozzo had ended up coming out west, hoping that a fresh start would mean that the rumours would remain in DC. Working in the San Diego office they’d been given a probie and a junior agent and were slowly becoming a force to be reckoned with. So far their closure rate had been nudging 95 percent, which was the highest in the San Diego office, although it was early days yet. It would require a full year or two of cases to truly determine what their real closure rate would be.

Bottom line, they were both settling in well, all things considered. Although Tony was far more reserved than he used to be with his colleagues, except for Chris who’d he’d become pretty close to, grateful for his support. Still it was pretty understandable that his trust in his work mates had been shaken after what had happened on the Marine sniper case. Chris figured it would be a long time, if ever before he truly let his guard down around the others on their team.

Most weekends he and DiNozzo ended up hanging out together, watching ballgames, sailing - since Tony seemed to have picked up a fair bit of experience at his fancy boarding schools or maybe it was it summer camps. They’d even been learning to surf together, albeit with mixed success thus far.

Back in DC, there’d been some pretty significant changes following the whole fallout from the Marine sniper case. One momentous change was that closure rates for field teams were now calculated based upon a combination of solve and conviction rates. Following this change, Gibbs’ team closure rates had tanked; a combination of the new formula for calculating the closure rate because so many of their cases got thrown out of court on technicalities. That and the absence of DiNozzo with his eidetic memory and investigative skills had negatively affected their ability to solve cases.

The end result was that Ric Balboa’s team, based on the revised formula for calculating closure rates, now had a statistically significantly higher success rate than Gibbs’ team. This resulted in the TPTB deciding in the short to medium term to make them the MCRT instead of Gibbs team. Needless to say that hadn’t gone down well.

Agent Todd had been officially censured and suspended for four weeks without pay for sexual harassment, as had Abby Sciuto and had undergone mandatory counselling. They’d both been lucky to escape so lightly. Pacci didn’t think they deserved it since both of them had to know already just how homophobic cops and feds could be. He couldn’t help but wonder if they’d learnt their lesson – he damn well hoped so, otherwise they could just as easily destroy someone else’s life and career.

Now he was luxuriating in the comfort of his new bungalow with a second beer. He’d just finished devouring a plateful of lasagne, courtesy of one of the other agent on their team. Stretching out the kinks, he checked his inbox as he worked his methodical way through his emails. Seeing Aaron Hotchner from the BAU had contacted him, he opened the email, curious to see what he had to say. About six weeks ago, Hotch had looked him up and found he was in San Diego. He had encountered Aaron and his team several years ago on a series of abductions where several of the victims had been connected to the Navy. Perhaps unsurprisingly, Chris and the reserved profiler had clicked and become friends, even if they rarely socialised.

So when AD Erin Strauss agreed, in the interests of interagency cooperation that the BAU - specifically Jason Gideon - would take on a NCIS probationary agent and profiler, Caitlyn Todd and
mentor her, Hotch called for some background on her. After giving him a brief overview of what he’d observed of her profiling exploits and a few acerbic observations on her professional behaviour he’d pushed the whole matter to the back of his mind. He’d never expected to hear back from Hotchner, so he was surprised to hear from his contact. He opened the email, curious to see what the profiler had to say.

To: chrispacci@ncis

From: aaronhotchner@bau

Greeting Chris,

Just thought you might be interested in an update on our intern. Afraid she was less than impressed with being sent back to ‘school’ and I hate to admit it but the team was equally underwhelmed by her profiling skills.

Well your observations of her tendency to identify too easily with victims or their families proved rather germane. It happened during a case we worked on, where the grieving husband turned out to be a serial sexual predator who killed his wife when she became suspicious of him. His crocodile tears at his wife’s death engendered Todd’s sympathy – she claimed he has kind eyes and she refused to accept that he might be the unsub.

She also started making waves in the office with some members of our team. Todd expressed the view that Derek Morgan was a dumb cop, and a male chauvinist pig who didn’t respect women. She lectured (hectored) our technical analyst, Penelope Garcia for flirting with Morgan, opining Penelope was encouraging Derek’s sexually derogatory behaviour towards female staff members. Plus, she seems to think that Garcia’s attire is overly feminine for the workplace, encouraging male patriarchal domination of females. According to Todd, ‘slutty Goth attire’ as she labelled it, was acceptable though because Dr Sciuto dresses to express her own sense of sexuality. Not to fulfil sexist males possessing overly active libidos and fantasies of chaste, obedient and adoring females like Garcia does.

Elle Greenaway and Jennifer Jarreau, two of our agents are up in arms, accusing her of reverse sexism towards males. She’s quick to complain about any comments or actions she feels are caused by her gender but perfectly happy to accept concessions for being female, if it helps to get her out of messy or unpleasant duties she doesn’t like or feels are beneath her. And if that wasn’t enough when it comes to her interpersonal skills or lack thereof, she’s pretty exasperated with Dr Spencer Reid. Our young resident genius, who with his eidetic memory and love of statistics, has proved to be rather quick to correct her assertions about sexual behaviour, especially what she regards as aberrant behaviour. Frequently, I’m afraid. This did not go down well!

After such an auspicious beginning, Gideon is just about ready to give up on her. Especially since she doesn’t accept constructive criticism easily or take it on board – although she’s certainly not averse to offering it.

But enough about us - how is life out in sunny California? When it's winter here in DC, I'm sure I'll be even more envious of your new lifestyle. Hope you and DiNozzo are settling in okay and aren’t too homesick? Next time we find ourselves on the west coast or you're back in DC, let’s catch up for a meal and you can tell me about your new team.

Take care my friend

Aaron Hotchner
Chris stared at the email, not entirely surprised at what Hotch had to say. It sounded like the eccentric but brilliant Jason Gideon was getting pissed off by Todd. Which wasn’t all that shocking if she was getting short tempered with his young protégé, Spencer Reid. From what Aaron had told him in the past, Gideon was highly protective of him; his relationship with Reid a complicated mix of paternal, mentoring and treating the young man as personal secretary cum valet. Bottom line, if you wanted to stay on his good side you never criticised Dr Reid.

Sounded like Todd was underestimating the people she worked with…again. And frankly, making an enemy of Penelope Garcia was not the brightest of moves because from what he’d heard about her, she was one scary lady when pissed off, even if she tended to dress in floral. Really, would Todd never learn?

As he opened up a catch-up email from his former probie Cassie Yates, he wondered how the devil Cate ever got onto the Presidential protection team in the first place. Then he opened up the photos she’d sent of her latest couple of undercover Ops and he started to laugh at her as a soccer mom and then as a high priced hooker. His little probie was all grown up!

May 2nd 2004:

Chris was working in the bull pen when his phone rang. Answering it, he found Eric Balboa on the other end.

“Hey Man. It’s Balboa.”

“Rocky, what can I do for you? Is something wrong?” A whole heap of potentially tragic news immediately springing into Pacci’s head.

“Nope, s’all good, Amigo. Have some great news for you. That 12 million-dollar embezzlement case of yours, well it suddenly heated up. You asked a realtor who’d sold Lt Commander Voss’ family townhouse - the one that his father lost when he went bankrupt - to notify you if it ever came onto the market and was resold.”

“Yeah, I did but I thought it was a long-shot. It was sold?” Chris asked eagerly.

“Yeah, someone called Amanda Reed purchased it. A hottie according to Sykes,” Balboa quipped. Chris knew that Sykes was Ric’s SFA. “So since you were the investigating team and you were here in DC when they tried to notify you of the sale, the case got assigned to the MCRT. We’ve had her under surveillance for almost a week. She bought the property, paid cash for it and the sale was settled in just fifteen days. The other pretty suspicious detail is that she also lived within ten miles of four navy bases where Voss was stationed, making it highly likely that Amanda Reed and Voss knew each other.”

Chris felt a thrill of excitement. This was the first hint that the case might be solvable. “Finally, anything come of the stakeout, Rocky?”

“Yeah, ya could say that. Stephanopoulos and O’Keefe staged a diversion while Sykes purloined her trash. They pretended to have a marital dispute on the street outside her townhouse while Sykes swapped her trash and left someone else’s in case she got suspicious and checked.

“Anyhow, Abby managed to get DNA off a few bottles of cosmetics. Man she is a cosmetics junkie. Get this, Chris! Abby found Voss’ DNA and fingerprints on it.”

“Damn it! Voss is alive?”

“In a manner of speaking. He’d faked his own death, buddy. When we went to arrest Reed she
resisted arrest and we shot her. But here’s the clincher, Chris. Amanda Reed IS Voss. She’s undergoing gender reassignment. We’re waiting for him um her to regain consciousness so we can charge her.”

Chris was stunned, shocked that Voss was really still alive although he had wondered initially – it was so damned convenient. But he was more staggered that Voss had become a woman…there had been absolutely sign that he was considering such a radical step. Surely that wasn’t something you ever chose to do on a whim or to hide a crime, was it?

“Pacci, you there?”

“Yeah, just… gobsmacked.”

“Yeah, I know what you mean. That was damn good work, with the realtor by the way, Chris. Without the heads up, we never would have got onto him um her.”

“Thanks Rocky, I really appreciated you solving this. It’s always bothered me.”

“Yeah – been there, done that. With a bit of luck, we’ll be able to recover the bulk of the money he stole. TPTB are all happy campers too – wouldn’t surprise me if we all got a commendation. Look, I have to finish writing up my report but I wanted you to hear it from me first. I’ll talk to you after we question Voss. Adios!” Ending the call, Chris smiled at his team who were doing a piss poor job of pretending that they hadn’t been listening in.

Tony regarded him carefully, no doubt registering the Rocky epithet and realising he’d been talking to Balboa. “Everything okay, Chris?”

Tony didn’t call him boss, but Pacci was totally fine with that. He didn’t really want to be addressed as boss since he didn’t boss his team – he led them.

“No, it’s all good, Tony. Rocky called to say that they got a hit on an old case of mine that was cold. They managed to solve it, so after work I’m buying dinner for any of you that are interested. I’m in the mood to celebrate.”

Tony’s phone rang and he answered it, nodding several times. “Thank Tina.”

The rest of the team stared at him, waiting as he hung up his receiver. “UA Ensign Thomas turned up dead outside a down-town bar.”

Chris took a deep breath, “Okay Team, gear up and head out. Let’s get some answers for the ensign’s family.”

His agents sprang into action as they head out to begin a new case. Tony shot a grateful smile at him – it was a I’m so happy to be heading out into the field grin, and Pacci, feeling equally pleased to have a new team and be investigating active cases again, nodded, completely in accord with his SFA. And thanks to Balboa and the MCRT they’d scored another win for the good guys.

Life was good!

End Note:

I couldn’t help myself. The symmetry of Pacci dying because he was tailing Amanda Reed without backup was too similar to the times Gibbs has left Tony with his ass in the wind and in dangerous situation without back up.
The Good Samaritan: You Sexy Thing

Chapter Summary

Gibbs goes head to head with Sheriff Charlie Dupray when they arrive at a murder scene where a good Samaritan who pulled over to help a motorist by the side of the road is murdered and left bound, gagged and naked off the road. They soon discover that this is not the first murder.

Chapter Notes

So I'm back with a new tag - it's been a while. There are a few reasons for the long interval between tags. Work has left me little time for writing for one thing. I also was seriously disillusioned with the handling of MW's departure which wasn't conducive to writing fan fics - it was more confirmation that the show didn't deserve to have his loyalty or talent for 13 years. MW should have left years ago. BUT the main reason why I haven't posted any Tom Morrow tags is because I was stuck on this particular episode. I don't want to write formulaic tags, they bore me since I crave novelty. So I was trying to find a fresh approach. Hopefully I achieved that goal and you enjoy this tag.

Thanks to everyone for their comments - they are greatly appreciated. Don't forget, if you have suggestions about procedural errors you've observed in upcoming episodes i.e. 15 - 23. I'd welcome feedback or ideas. While I do already have some episodes pre-written, there are plenty that I haven't gotten around to fleshing out yet and besides, someone might have a better idea than mine. Thanks also to RCEpups for the patient attempts to explain the complex subject of US jurisdiction to an Aussie. It is rather confusing :D

Series: There's Always Tom Morrow

Episode: The Good Samaritan

Title: You Sexy Thing

Characters: Mary Morrow (OC), Tom Morrow, Secretary of the Navy Philip Davenport, Judge Advocate General Admiral A.J. Chegwidden, Leroy Jethro Gibbs, Sheriff Charlie Dupray

Mary Morrow watched her husband head off towards his study after they’d arrived home from the dinner party at the Secretary of the Navy’s palatial home in McLean. Seeing Thomas disappear into the den with Philip Davenport right after dinner, she’d assumed that they were talking business. Observing the slump of his shoulders and tension lines around his eyes when they emerged, confirmed her assumption that they had been talking shop. She hoped it wouldn’t keep him up all night.
They’d come home after an excellent dinner tonight – Philip was a gastronome of some repute in Washington. He also possessed what was reputed to be the one of finest wine cellar in DC which was quite the boast, although they had partaken in some outstanding wines tonight including copious amounts of champagne. Mary was hoping that a relaxing dinner and a night that included no unexpected call outs to the office might permit them to return home for a romantic night making love. Despite being mature – old codgers, according to their daughter – she and Thomas still had a very healthy sex life, albeit sometimes it was hard to schedule it in with Thomas’ highly demanding job as NCIS director.

Now watching the non-verbal cues as her husband made his way to the study, her hopes of romance amidst scented candles, Edith Piaf and Placido Domingo CDs nosedived. Sadly, she would have to wait for another opportunity to wear her brand new carmine red silk negligée to seduce her husband. She could tell through long years of experience as the director’s wife, that her husband would be, in all likelihood, ensconced in his lair drinking his favourite Glenfiddich single malt whisky. No doubt he was brooding over whatever it was that he and Philip Davenport had been discussing.

Sighing philosophically, she knew there was no point in getting angry about her plans being ruined – it wasn’t the first time and it wouldn’t be the last when her plans went out the window. She decided resignedly that even if she spent the night alone, she may as well indulge herself with a warm scented bubble bath and a trashy romance novel before bed. Casting a wistful glance at the closed door of her husband’s inner sanctum signalling his desire for privacy, Mary slowly climbed the stairs after turning off most of the downstairs lights.

One of these days when Thomas had retired, they’d have all the time in the world to grow old disgracefully. They could engage in afternoon delight every day of the week if they so chose to. Plus, they planned to travel around the world together, starting out in the sun-drenched vineyards of Tuscany and proceeding on to Venice before exploring the Greek Isles together. Mary had long had a yen to explore the Minoan palaces at Crete. Cheered by the thought that she would finally have Thomas to herself, she disappeared into the master bedroom’s ensuite to run a scented bath.

~o0o~

Morrow noted his wife’s disappointed countenance when she saw him go into his study, realising the night of romance she had planned was now a bust. She’d been teasing him about her brand new negligée for several days now and he shared her frustration that her plans had been thwarted.

Truth to tell, he’d been looking forward to indulging Mary’s fantasies tonight - he was eternally grateful that she still found him attractive and wanted to spend all night together being intimate. Many people their age grew apart and ended up having affairs, getting divorced or living in the same house but as virtual strangers. He really wanted to be with her but unlike when he was younger and got horny at the drop of a hat, when he had the weight of the world on his shoulders he just wasn’t able to perform like that anymore. And more importantly, he was smart enough not to put himself under that sort of pressure to perform – he didn’t need to court impotency problems in his sex life, too. Hence he wouldn’t be going to bed tonight – he’d catnap on his sofa.

When Davenport invited him – and wasn’t that a misnomer if ever there was one – into his study for a friendly chat after dinner, he’d mentally groaned. He expected that Philip was going to talk to him about a security issue. In the shadow of 9/11 most agencies these days were obsessed with terrorists - home-grown and international. So it was a nasty shock when SecNav wanted to discuss NCIS office affairs. No not discuss it – haul Morrow over the coals because of something that had displeased him and made him lose face with his cronies on the hill.

Of course, it shouldn’t come as a shock to learn that Davenport was pissed off with one of his agents.
Nor should it be a surprising that it was Leroy Jethro Gibbs who had invoked SecNav’s ire since he seemed to singlehandedly be the agent who managed to piss off his fellow law enforcement peers, members of the military, Joe Citizen and even the fourth estate without even trying – to say nothing of his detractors at NCIS.

What did incite Tom's wrath though was that when Gibbs pissed off most mere mortals and he tried to discipline him, or even just to reel him in and attempted to contain him, SecNav would fight him every step of the way. Effectively he made him an impotent force when it came to Gibbs – and neutering his overall authority at the agency.

Yet should his most infuriating, belligerent and troublesome agent piss Philip Davenport off in some way, Leroy Jethro Gibbs went from being SecNav’s most valuable player, um agent to… 'Do something about ‘that damned agent of yours, he’s out of control’.

It reminded him of somewhat of his daughter Christa growing up. When she was a little angel she was Mary’s daughter or ‘their’ daughter and when she was bad which to be fair, wasn’t often, she suddenly became ‘his’ daughter. ‘Discipline ‘your’ daughter, Thomas… ‘your’ daughter got a detention… ‘your’ daughter defied me and got her ears pierced -do something.’

Still, considering that Mary was left to do a lot of the parenting on her own, he supposed it was only fair that she claimed the vast majority of the credit for her upbringing too. And that he copped the blame – she was after all bearing half of his genes.

But Gibbs… that just burned! Every attempt to make him toe the line had been thwarted… roadblocks constantly thrown up by Davenport because he and Gibbs had some mutual admiration society going on. It stopped Morrow from disciplining his agent so he was forced to follow regs like every other agent at NCIS, rather than giving him the impression he could do as he damn well pleased. For someone who claimed to have no truck with politicking – Gibbs sure knew how to get what he wanted – which was his own way. It was a real conundrum to Tom that a decorated NCO Marine was such a cowboy agent and loose cannon.

Just in the last few months he’d become even more intractable, ignoring their protocols and procedures. He’d hired an agent with the flimsiest of credentials to work on their premier investigative team (having balls wasn’t in the job description as far as he knew) while flipping the bird to many other fine agents, for a bunch of lame excuses. He’d stopped following chain of command, setting an experienced investigator - his SFA up against the newbie, making them compete for his approval and encouraging Todd’s insubordination of her immediate superior, oftentimes joining in.

His team had been involved in two bombings involving loss of life and considerable damage to property – damage in the millions of dollars. Mistakes had been made, big ones and yet Tom had been prevented from taking appropriate action to correct or chastise. Procedural errors had also escalated, mistakes that could have cost the agency convictions when the cases went to court martial or trial. Davenport had been obdurate, protecting Gibbs from receiving negative repercussions, either for his teams’ performance or his own.

Now, all of a sudden SecNav reads him the riot act, demanding Morrow control ‘HIS’ out of control agent immediately. Davenport’s ‘venting’ had effectively killed Tom’s libido and he was damned pissed about it. Not just because SecNav had repeatedly protected Jethro when Tom wanted to roast his ass, not just because Philip had effectively given Jethro carte blanche to run the MCRT with no regard to agency protocols and procedures. So what else did Davenport expect but that Gibbs would be out of control? And it wasn’t as if what had effectively ruined his and Mary’s much anticipated night of passion was even something that – in his humble opinion - was all that serious.
No it wasn’t like failure to observe the law, playing juvenile mind games with his team, inciting insubordination, failing to ensure his agents safety and reckless endangerment weren’t all serious infractions. They hadn’t deserved to be swept under the carpet just because Gibbs had friends in high places who owed him favours – and yet they had been! Tom was fed up with the double standards and now, suddenly he was supposed to disciple Gibbs just because he’d committed some fairly minor faux pas which finally, had pissed off Davenport.

Admittedly the Judge Advocate General was pissed off at Gibbs too and had made it clear the NCIS director needed to tear him a new one, because Jethro had made a deal with Sheriff Charlie Dupray of Grayson County. The case had certainly seemed a straightforward one and the first victim found – a Navy dentist from Oceana Naval Air Base, shot when he pulled over to give aid and succour to a motorist in distress at night – seemed to place it firmly within NCIS’ purview. Well at least from Gibbs point of view that is, but Morrow reckoned without the LEOs, who in this case were the Sheriff’s Department of Grayson County.

Sheriff Dupray was adamant that the case took place within her jurisdiction and she wasn’t about to turn it over to NCIS, despite Gibbs usual modus operandi when it came to turf wars with LEOs. Basically he’d bully and ride roughshod over local cops and snatch the case regardless. Dupray had been a lot tougher than most and Gibbs in a desperate attempt to win the stoush, promised her the credit, plus, the use of NCIS’ state of the art forensic department. He knew this would be a winner – since the State forensic lab was always backlogged with crime cases and too little funding.

He’d agreed to the sheriff’s demand that the perpetrators be prosecuted in her county – it being an election year. The woman drove a hard bargain and she’d even managed to get him to agree that she would conduct the investigation, which was a first. Clearly the sheriff could teach Jethro’s peers and adversaries a thing or two about how to negotiate with him.

Nevertheless, the JAG, Admiral Chegwidden was fit to be tied, since as he’d pointed out in a very heated phone call to the NCIS director, Gibbs had well and truly overstepped the bounds of his authority in agreeing to Grayson County being the location of the trial. They had no way of knowing, at that point of time, if the killer was a civilian or a member of the military, in which case the decision about the physical location and whether it would be a trial versus court martial was firmly within his court, not Gibbs – no pun intended. A.J. Chegwidden had also taken it upon himself to complain loud and long about Gibbs to SecNav, resulting in Tom also copping a second earful about it from Philip tonight.

He knew A.J. was also incensed that Gibbs had gotten off with barely a rap over the knuckles after the crap-fest over forcing a dodgy confession out of Corporal Dafelmair several months ago. Not to mention the shit that ensued over DiNozzo falling out of the plane when he had no business being up there in the first place, since he had no training or experience and had been injured. Tom understood Chegwidden’s frustrations over him getting off scot free.

Philip had mentioned, unfairly in his opinion, how aggrieved the JAG was over Gibbs being out of control during their chat tonight and it had really griped his cookies when Davenport complained how pissed off the JAG was about Gibbs acting like a law unto himself all the time. Tom had wanted to pull Gibbs into line over that whole incident with the murdered Marine on the night-time jump. He’d wanted to impose a hefty penalty to let Jethro know that he’d crossed the line and it wouldn’t be tolerated, but SecNav had over ruled him …again. And frankly, vetoing Morrow’s plan to suspend him, plus Morrow’s subsequent failure to discipline him or reel him in had done nothing to inspire confidence in his directorship from the navy and Marines.

After tonight, Davenport chastising him for his failure to keep Gibbs under control had hardened his resolve to start seeking a job in another agency, preferably one that didn’t come under the auspices of
the military i.e. the Department of Defence. There was still too much of the military ‘old -boys’ club about NCIS for his taste – perhaps the other alphabets might be more transparent. The truth was that he’d felt emasculated by Davenport’s rebuke and orders to get Gibbs under control because he should, if he’d been allowed to do his job properly, have forced the MCRT leader to follow rules like every other agent under his command. He was fed up being Philip’s puppet when it came to Gibbs.

However, since he finally received the go-ahead to pull Gibbs into line, he was going to come up with a cruel and unusual punishment since SecNav wouldn’t be coming to Gibbs rescue any time soon and he decided to make the most of his opportunity. He decided part of the punitive process of pulling Jethro into line would include being called on by the entire JAG department as an expert witness in as many cases as they could possibly manage – for example as a sniper and firearms expert and NCIS agent. Gibbs hated to be taken out of the field, hated to be forced to speak and absolutely abhorred dealing with lawyers. So it seemed an entirely fitting punishment for exceeding his authority to hand over the prosecution of the killers. He needed to come up with something additional to really drive home the point that Gibbs was in deep shit and needed to pull his head out of his ass.

Such irony that the terrible sin - ostensibly anyway – that would enable the director to pull him into line (finally) was that he’d offered Dupray use of all that hard fought for, whiz-bang state of the art forensic equipment to solve the case. Forensic equipment provided by dollars eeked out by SecNav attending hearings… spending many painful hours courting and kissing asses of odious, dumbass politicians. (Philip had failed to see the irony.) All so Abby and Ducky could work their magic and the agents could do their job and catch the bad guys. The budgetary appropriations committee demanded results in return for their bucks, so Davenport was furious with Gibbs that he just gifted credit for the solving of the multiple murder to Dupray’s department. The truth of the matter was that without NCIS’s forensic lab and forensic scientist, the case probably would have remained unsolved.

The murderer, Lieutenant Seeger’s wife, and her twin sister and co-conspirator might have gone on killing who knows how many naval personnel from the Oceana Naval Air Base as a cover-up for the real motive. She’d already killed two other men to hide the real crime – wanting to get her hands on her husband’s money because she signed an unfair pre-nup and had a marriage beyond reclamation.

It was clichéd but the wife did do it and had her identical twin provide her with an unshakeable alibi – until she’d idiotically decided to take a whiz at the side of the road. Really, who does that when they kill someone? Still without their timely testing of that evidence which had been left at the crime scene and had been sitting mouldering at the state lab waiting to be tested, more victims could have been killed to hide Seeger’s murder. So it riled SecNav that Sheriff Dupray had taken all the credit when he’d sat in on the interminable budgetary appropriation hearings. And to be honest, Morrow could understand his frustration - he just thought there was serious issues to be concerned about.

As much as Gibbs agreeing that Sheriff Dupray could take credit for solving the crimes was way beyond his authority to grant (not to mention, not very politically savvy), in the scheme of things, the transgression was a fairly inconsequential one. Well it was when weighed up against the BFF bombing and other FUBAR incidents that had involved Gibbs of late. But this one had pissed off Philip Davenport and Davenport was not just a good ally – he was also a bad enemy to make.

Of course, it wasn’t the first time that Gibbs had given away public plaudits, rightly belonging to NCIS for solving a crime in exchange for having point on an investigation – Jethro was the original micromanager. An honest to goodness control freak who’d literally do anything to get jurisdiction on a case.

The problem was that Dupray had been extremely vocal and not just to the press about how her department had solved a triple homicide that had spanned several counties. If that was all she’d done,
chances were that SecNav would have been pissed off but managed to shake it off, but Sheriff Charlie Dupray had been boasting to any and all LEOs in the state of Virginia who’d listen. Truthfully, she’d made NCIS and Gibbs in particular look like prize chumps and because of it, had many of SecNav’s peers laughing at him.

Sheriff Charlie Dupray leaving an obscene amount of messages with the NCIS dispatchers, wanting him to call her back had provoked much mirth and watercooler chatter amongst the staff. She was viewed as being a tragi-comic figure, especially by the dispatchers who kept taking her calls, trying to find Gibbs because he had turned off his cell phone and was refusing to return her calls. Desperate-and dateless-Dupray, being one of the kinder nicknames she picked up amongst a section of the NCIS staff – many surprisingly - being female.

It had been painfully obvious that Dupray was chasing after Gibbs and equally obvious that he patently did not welcoming her attentions. Watching Charlie throw herself at Gibbs repeatedly had amused a lot of people to see Gibbs acting like prey. Watching him being pursued by such a single-minded female, one who refused to accept the blatant brush off or recognise she was batting way out of her league in trying to bed Leroy Jethro Gibbs, seemed pretty funny to a lot of people. Faced with her dogged cluelessness, Gibbs discomfiture had been the butt of a lot of office jokes; while it wasn’t unusual for him to be pursued by women, mostly they were young and he tended to welcome their attention. Charlie was far too old and homely to be considered his ‘type’ and pretty much everyone thought she was sadly pathetic not to be able to take the hint that he was way out of her league.

Tom had to admit that it was a pretty sexist point of view but somehow, it was somehow fine for Gibbs to date women considerably younger than himself. Yet the idea of him dating someone like Charlie – a woman of a certain age – who was more his contemporary, who wasn’t drop dead gorgeous or stick-model-thin, was comic. Plus, she seemed like a sad, pathetic loser for not giving up after the first few knockbacks.

Yet, as it turned out, it had all been just an act – albeit a brilliant one. Charlie deserved an Oscar for her performance. Dupray was quick to admit that she already knew about the first murder that had occurred in a neighbouring county because she was in a long term relationship with one of the LEOs there. Even before she rocked up to Lieutenant Commander Julius’ murder she knew it wasn’t the first good Samaritan killing and she’d never had the slightest interest in Gibbs, aside from his access to modern forensic facilities.

In the time it took for the MCRT to drive to the Julius murder scene (which unbeknownst to them was actually the second murder site), Charlie had immediately seen the implication of her solving a double murder in an election year. She was determined that no jumped up, arrogant feds were going to snatch jurisdiction out from under her or get in the way of her re-election. So she’d sent out a SOS to the loyal fraternity of guys and gals in blue to dish dirt on Gibbs. It would be fair to say that he was not exactly popular amongst Leos, having made little effort over the years to hide his contempt for his fellow law enforcement officers. The idea that Jethro might be conned by one of their own was enough to unleash an avalanche of data on the MCRT and Gibbs specifically.

So according to the scuttlebutt, LEOs all over Virginia, DC and Maryland, plus some from surrounding states, fell over themselves to dish dirt on Gibbs. It would be fair to say that he was not exactly popular amongst Leos, having made little effort over the years to hide his contempt for his fellow law enforcement officers. The idea that Jethro might be conned by one of their own was enough to unleash an avalanche of data on the MCRT and Gibbs specifically.

While according to gossip, DiNozzo had fairly recently started playing the field after his engagement fell through, literally at the altar, Gibbs had long been a lady’s man, with his three broken marriages to beautiful bossy redheads as proof. He may have since sworn off marriage, but was still frequently seen with beautiful women on his arm and it wasn’t that unusual for them to be up to 15 years younger than him. Privately, Tom strongly suspected he’d had a turbulent affair with his much
younger and red headed probie, had ended acrimoniously and was also why he’d declared rule # 12 when he came back from his European deployment.

Anyway, Gibbs dating habits aside, Sheriff Dupray had received enough data to profile Gibbs as a lady’s man, but one who liked to do the chasing. Morrow snorted. That conclusion wasn’t exactly a quantum leap, since anyone who worked with the man for more than five minutes knew Jethro had to be the one in control. They’d also reported how he would go to extreme lengths to get jurisdiction on a case he wanted and demand point over investigations involving navy and Marine personnel. Apparently winning jurisdiction was important enough for him to relinquish credit for the case a number of times in the past, and the bone he offered was usually that NCIS possessed superior forensic facilities which could process evidence immediately.

So with her profile of the man in charge, Sheriff Charlie Dupray went on the attack; knowing full well that she wasn’t Gibbs type (too old and not attractive enough) and too pushy, which she possibly exaggerated. Her aim, according to her boasts to her law enforcement buddies was to keep Gibbs so off balance that he would offer to help out with forensic support. As the sheriff told it, she was well aware that if they were relying on the state labs to give them leads they’d be waiting til Hell froze over – definitely after the election. But she was equally determined to keep Gibbs firmly under her thumb so he didn’t run the show, which was something he never ceded to LEOs before.

All the calls purporting to be her chasing Gibbs, trying to get him to take notice were for exactly the opposite reason, to have him running in the other direction. And that was away from her and her case, while she called the shots in the investigation. She was so successful that she’d even managed to get him to turn off his cell phone – in direct contravention of his precious Rule # 3 - during a case no less. An infraction that would have had serious repercussion if it had been one of his agents who’d done that to him.

And she’d rocked up to NCIS dressed in civvies with evidence in the first murder from Halifax County, demanding he take her out to dinner and he’d submitted, albeit reluctantly, escorting her to the NCIS cafeteria. All the while NCIS’ top investigative team including their ME Dr Mallard, forensic scientist Abby Sciuto and former homicide cop and top-notch investigator DiNozzo plus Todd poured over the case file, doing the scut work for Grayson County’s SD.

Once the case was successfully solved, Charlie - the middle aged, lovelorn Sheriff who pathetically threw herself at NCIS’ resident heart throb agent - dropped him like the plague. She held a press conference, taking sole credit for solving the three murders and privately crowing to her fellow LEOs about getting one up on the feds.

To be honest, most LEOs and local politicians where delighted to see her outwit the feds and Gibbs in particular, to who public relations or trying to get along with his peers, were considered cuss words. Therefore, someone making an enormous ass of him quickly attained hero status, nor was it surprising that someone like SecNav, who cared about his image so highly, would hear about it sooner or later. In this case it had been sooner, and he’d been absolutely furious since the man held ambitions above and beyond his current station as the Secretary of the Navy. This job was not the pinnacle of his career, merely a stepping stone and Gibbs ending up with egg on his face made Davenport look like a dumb-ass chump, too.

That was something SecNav was positively not going to take lying down. So he’d issued the edict to Tom to pull Gibbs into line.

~o0o~

Next morning, after a night spent down on the sofa in his study instead of making love to Mary in their sumptuously comfortable bed, Morrow was in an evil mood. His back hurt from not having
enough room to stretch out and he lamented the absence of feel good hormones that their night of
intimacy would have given him. So he was not in a charitable mood and he was going to issue Gibbs
with a dressing down that he’d not soon forget.

Still, he supposed some good had come out of night of deprivation and sacrifice, other than the kinks
in his back. It had inspired him with a creative way to express his disapproval over all of Gibbs
outrageous behaviour in the last three months. Hopefully it would encourage Jethro get his head out
of his ass.

Coda

Leroy Jethro Gibbs turned over in his narrow bunk aboard the USS Sea Hawk as he grabbed a few
hours of sleep – although it was more the blissful solitude he savoured, since he found himself on call
day and night. Fortunately, the agent afloat didn’t have to share their quarters with anyone else,
combining the bunk with a tiny office. So at least for now, he’d have a few hours of privacy if he
was lucky.

Yet he didn’t feel lucky. Morrow had assigned him to this hell-hole as Temporary Agent Afloat for
the week long liberty layover of the aircraft carrier in Cartagena, Columbia because the regular agent
afloat had requested a seven-day leave. Jethro really couldn’t blame Edward Carey for not wanting
to wrangle 5,000-odd men and women as the only navy cop trying to maintain order in the so-called
party port for sailors. It was a constant case of drunken sailors getting into fights, harassing of
working girls, getting charged with assaults and ending up as victims of petty and not so petty crimes
and other various misdemeanours. It made agents afloat despise lengthy liberty layovers in exotic
locales.

Having to constantly investigate hundreds of trivial crimes was definitely not Gibbs’ idea of fun
times. Personally, he longed to shoot them all or beat them senseless. He could barely tolerate
listening to DiNozzo’s stories of his Spring Break college exploits with his frat brothers, let alone
experience it firsthand aboard an aircraft carrier. Then there was the paperwork involved in throwing
drunken sailors and Marines in the brig - it was unbelievable and interminable and sadly, there was
no DiNozzo around that he could fob it off onto. Plus, there was the absolute torture of liaising with
the local cops – again without DiNozzo to buffer his irritation with their dimwittedness. It had been a
complete unmitigated disaster.

He couldn’t believe that SecNav had countenanced this travesty of justice - this nightmarishness. It
wasn’t like he’d killed anybody or anything and the case with Seeger was solved after all. Out of
control – bullshit!

Thankfully, there was only another 33 hours to endure before he caught a flight back home to DC.
Unfortunately, as part of his disciplinary action, Morrow had granted four other Agents Afloat a
week of leave during their ship’s liberty stops in exotic tourist ports in the next few months and
ordered Gibbs to fill in for them. In addition to this damned awful duty, he’d also become JAG’s
favourite expert witness when it came to courts martial. Dealing with lawyers was driving him crazy.
There was a damned good reason for rule 13.

When he’d complained to Director Morrow about ridiculousness of assigning him to this hell-hole,
he’d scowled and told him to suck it up. Suggested it might make him think twice next time he
decided it was okay to ignore rules and regulation, including his own. That it was time he stopped
behaving like a damned cowboy.

Then Morrow had dropped the bombshell as he was sending him off for his first TAD as agent afloat
that left him longing to retreat to his basement to brood with his boat and bourbon. He informed him that Charlie Dupray had played him like a violin to get control of the case for her election year. Well that much he’d already figured out himself when she stopped calling him, as soon as the case was done and dusted. Actually, although he’d never admit to anyone, he was eternally grateful since he hadn’t exactly enjoyed her stalking him.

Yet that wasn’t the only information that Tom had seen fit to share, and it had blind sighted him. No the bombshell he hadn’t been prepared for, and had hit him hard was that she knew about the first murder by Laura Seeger and her twin-sister, long before he ever set foot on the Lieutenant Commander Julius’ murder scene.

And if that wasn’t shocking enough, Tom had revealed exactly how Charlie had known about the first murder in Halifax County, intended by the killer to camouflage her husband’s murder so the cops would think they had a serial killer on their hands. According to Tom, who claimed he’d investigated properly and not relied on scuttlebutt, Charlie heard about the first murder via Virginia State Police Lieutenant, Sarah-Jane Chadwick who was also Sheriff Dupray’s long term lover.

Even though Charlie wasn’t officially ‘out’, her sexuality was a fairly open secret within the local law enforcement community, and even in certain, more liberal sections of the Grayson County community. As long as she didn’t flaunt it around more sensitive voters or fly a rainbow flag in the office, most people pretended not to know that she was a Lesbian in a long term relationship. Especially since she had done an exceptional job of driving down crime.

Now Jethro felt like a prize ass and that pissed him off. That and these juvenile squids and jarheads getting wasted and laid every hour of the day and night for his 168 hours of unmitigated misery for an Agent Afloat. Thankfully he only had 33 more hours on this hell-hole – this den of iniquity. When he was done here, he only had another 672 hours left to serve before he’d paid his pound of flesh.

He just hoped that no one found out he’d been scammed so comprehensively - by a lesbian in a committed relationship no less – that would be plain embarrassing. He’d disregarded his own Rule #8 – never take anything for granted and she conned him into thinking she wanted his body.

He remembered his rhetorical question when they were reviewing the bank tapes of Laura Seeger’s alibi about how difficult it would be for an attractive woman to get a man to do what she wanted. The real question he should have been asking himself was how easy was it to get a man to do what you wanted when you were a fairly average looking woman acting like you were desperate to get a man into bed and refusing to take no for an answer. And the answer was – pretty freakin damned easy – apparently.

DiNozzo and Fornell had already had a field day, mocking his less than ballsy behaviour around Charlie when he/they thought she was after him. He’d be a laughing stock if they knew that she’d had played him so thoroughly despite his gut. If he wasn’t so pissed off with her, he’d have to give her kudos – she was good. Damned good!
Gibbs former CO is accused of stealing 2 million dollars in Iraq and the FBI are out for blood. Gibbs is out to save Colonel Ryan even if he needs to go lone wolf to do it. When it is all done and dusted though, he has cause to regret something he said during the investigation.

Chapter Notes

Long time between drinks :) Life gets in the road but here I am dipping my toes back in this 'verse. Thanks to Arress for her help with this tag - she is a gem that makes these pieces way better.

Series: There’s Always Tom Morrow

Title: One For The Team

Episode: Enigma

Cast: Gibbs, Tony, Abby, Cate, Director Morrow, Philip Davenport

NCIS Director Tom Morrow was sipping on his coffee as he leaned against the railing on the mezzanine level looking down on the bullpen which included the major case response team’s workspace. The Medical Examiner’s van had arrived back at Autopsy almost 45 minutes ago and Tom requested that Security at the gates of the Naval Yard alert him when Gibbs’ team returned. Now he was waiting for them to arrive in the bullpen so he could waylay Gibbs for an urgent interview.

He watched as the three agents trickled in – Gibbs stalking in, clearly he was not happy about something – likely to do with the crime scene. That mood was not about to change when he called him onto the carpet but then again, Gibbs angry wasn’t exactly an uncommon occurrence. DiNozzo bounced in, apparently explaining some obscure movie analogy to his two less than appreciative teammates. Unconcerned, a wide grin on his face, he sat down at his desk and switched on his computer, starting to type one-handed. Tom wondered if he should even be out in the field with his left hand in a cast.

And last but definitely not least, was Gibbs’ latest probie, Caitlyn Todd, who’d been with them for a
few months and clearly thought she’d be running the agency soon. Instead of sitting down at her
desk, the dark brunette gathered up the evidence they’d collected at the crime scene and with a
glacial scowl directed at DiNozzo, she departed in a huff. Looked to Tom as if she felt the role of
delivering evidence to Abby Sciuto in the forensic department was beneath her and should instead
call to DiNozzo. Tom rued the day he insisted Gibbs find a replacement for Vivian Blackadder.
There’d been nothing but problems with the MCRT since the ex-Secret Service agent had hired onto
Gibbs’ team.

Waiting until Gibbs wandered over to his desk to sit down, Tom called out to him as his butt grazed
the seat but hadn’t fully settled in, “Gibbs, my office. Now!”

Aware that everyone in the bullpen were watching and listening, he smirked. Since Gibbs never
hesitated to humiliate his subordinates, what was good for the goose was good for the gander in his
book. Besides, Jethro had better get used to it - this latest debacle of his was about to get a lot worse.

Swivelling on his heel after giving DiNozzo a speculative look, Morrow returned to his office to
await the bear. Sitting down at his conference table he gestured magnanimously to his coffee pot,
inviting Gibbs to grab a coffee. He chuckled mentally, chances were extremely high that Jethro
would have helped himself anyway so it was a tactical move to invite him to take coffee from his pot.

Tom knew that when it came to dealing with his most troublesome supervisory agent it was all about
strategy, tactics, one upmanship, and non-verbal body language. Give Jethro an inch and he took a
mile… always determined to be top dog in any interaction - be it social or professional (especially
professional). So, it was a case of Tom keeping him off guard as much as possible and making sure
he kept his cards close to his vest. That way Gibbs had less time to anticipate his questions and
formulate a less than accurate response.

As the leader of the MCRT joined him at the table, he noticed his surreptitious glance at the files in
an orderly pile in front of him. In anticipation of Gibbs’ nosiness, he had gathered the various
documents and placed them in a non-descript blue-coloured file – just to thwart him and keep him
guessing.

Staring at Gibbs with his special directorial glare, he fired his first salvo. “I’d like you to explain to
me how Special Agent DiNozzo came to injure his left hand recently.”

Frowning slightly, as if bemused at the question, Gibbs replied. “It was an accident. He slammed it in
the rear door of the crime scene truck last Friday when we were out at the murder scene at Norfolk.”

Tom scrutinised his team lead carefully. “So, just to be clear, DiNozzo slammed the rear door on his
own hand? Really, Special Agent Gibbs – you expect me to believe that?” he challenged Jethro sceptically.

“No… I shut the door. Like I said, Tom, it was an accident.”

“Did you apologise for the accident?” Morrow asked curiously.

Glowering at his boss Jethro shook his head. “Rule #6 - apologies are a sign of weakness and besides…” rolling his eyes. “It was an accident. Not like I did anything wrong,” he stated stubbornly.

Tom felt exasperated. Sometimes he thought Jethro must have been reared by a pack of wolves in the wilds of Pennsylvania rather than in the loving home of Ann and Jackson Gibbs. He most definitely was his own worst enemy sometimes.

“Oh, I don’t know… maybe because you felt remorse that he hurt his hand, even if it was an accident,” he suggested neutrally. “Or because even if it wasn’t intentional, you still fractured his hand. It is the polite thing to do.”

Gibbs stared at him as if Morrow had two heads. “He didn’t apologise to me for putting his hand where it wasn’t supposed to be. Why the hell should I apologise to him?”

*Why indeed.* Shaking his head in disgust, Tom pulled out a sheet of paper with the incident report which had been filed with HR. So perhaps you’ll explain why the ‘accident’ took place when you first reached the crime scene yet you ordered your agent to process the crime scene? Which, per your report, took several hours and then you all returned to the office without seeking medical assessment and treatment of his injury?

“Because he told me that he was fine.” Gibbs rolled his eyes a second time and Tom felt an overwhelming urge to slap his smug face. Obviously, he restrained himself since he was the director!

“Before or after you told him to suck it up and stop making a mountain out of a molehill – that there was a scene to process.”

“We had a murderer to catch and he and Todd were messing about like they always do.” Gibbs objected. “They were razzing each other; she told him he was being a baby, looking for attention.”
“Your attention, I believe. She told him it was pathetic how he was always running around, panting like an eager little puppy trying to get an Atta Boy from you or failing that, a whack on the head. Didn’t she tell him to grow some balls and stop being a big baby?”

“Don’t recall the exact words – had a scene to process and witnesses to interview. Didn’t have time for silly squabbling from my agents. I reamed them out, then asked if he was fit to work – he said he was fine so we got on with the job.”

“So you had an injured agent working the scene collecting evidence and you weren’t aware of it?” Tom asked, the censure apparent in his tone. “You are the team leader – you’re supposed to watch out for your team.”

“I had a murderer to catch – a dead petty officer that had a husband and two kids. The first 48 hours are critical in an investigation – ya know that, Tom. Can’t be hand holding my agents and second guessing them when they tell me they’re fine.”

“Maybe he wouldn’t have told you he was fine if he wasn’t so worried that you’d think he was weak or if your probationary agent wasn’t questioning his professionalism constantly. Not to mention you setting them against each other to compete for your favour. And, despite the time constraints inherent in your case, that’s still no excuse to ignore the welfare of your assets. That’s poor management of your team and it will come back to bite you.”

Rubbing his face in exasperation, beginning with his right hand on his forehead and travelling over the left side of his face, downward ‘til he reached his jaw, he wished he could pummel something. This was not going to help Jethro’s case at all. His obsessive behavior when he was working a case, particularly one that triggered his hot buttons – females or kids – and he not only became way too cavalier about his own safety, but his team too. Own worst enemy!

Rifling through the file in front of him, Tom pulled out a double sheet of paper and commend reading it. Before finding the relevant quote, he probed, “So, did you or did you not on the 24th of February 2004 in the NCIS evidence garage threaten to break DiNozzo’s hand if he ever touched your phone again?”

Gibbs’ blue artic eyes flickered with an emotion – anger, panic, guilt, regret, which Morrow couldn’t identify.

“DiNozzo told you that?” Gibbs demanded, outraged.
“No, he was remarkably closed mouth about the whole incident. And the fact that you were responsible for his current injury – claimed it was an accident,” Morrow asserted. “Although you don’t deserve it, he was your loyal Saint Bernard... as usual.”

“So, it must have been Abbs or Todd that spilled the beans – after all, they were damned quick to throw DiNozzo under the bus about stealing my phone so I wouldn’t get pissed at them,” Jethro mused, more to himself than the director.

Reading from the sheet of paper, Tom employed a well-known interrogation technique – remaining silent.

Scowling at his boss, Gibbs demanded, “That what this chinwag’s all about, Tom? I was joking. Ya can’t honestly think I broke his hand on purpose?”

“So, you weren’t pissed when the fibbies insisted on seizing your phone as evidence in their ongoing investigation into the location of the missing millions that Colonel Ryan stole? You wanted to be the one to find the money, not the FBI, because he was your old CO, which was why you refused to hand over your phone. In spite of SecNav insisting that the FBI handled that part of the investigation as appeasement for their dead agent killed at Colonel Ryan’s cabin.”

Gibbs glared at the director – a look that turned most of the probie agents to mush, but bounced right off Morrow – who was obviously no probie. “So, I’ll take your lack of denial as a yes. Yes, you were pissed, Jethro. Let’s face it, you hate sharing anything – information, coffee, conversation, but hell, make you share a case and you’re like a constipated grizzly bear with haemorrhoids. So, being ordered to turn over the case was always going to be a scenario for your anger to reach nuclear meltdown proportions.”

Gibbs gulped his coffee and stared at his boss angrily, not understanding why he was pissing him off by raking up not so ancient history.

“My case,” he grumped.

“So, when I ordered DiNozzo to retrieve your phone and surrender it to Special Agent Fornell, it must have seemed like a heaven-sent opportunity to let him have it since he disobeyed your direct order. And as we well know, after telling him you’d break his fingers if he touched your phone again, you couldn’t afford to make an empty threat in front of your brand new probie. Bad for discipline.”
Gibbs pushed his chair back violently, causing it to topple over onto its side as the grey-haired agent grasped the edge of the table as he leant over to get closer to Morrow as he locked eyes with his accuser. The fury was pouring off him in waves and it said a lot about Morrow that he hadn’t flinched or retreated, even an inch. Truth to tell, he’d orchestrated the whole meltdown deliberately, since when Gibbs was in a red-hot fury he was much more likely to let things slip that he normally wouldn’t. He hadn’t been kidding about the ex-Marine’s reluctance to share.

“You sayin’ I deliberately broke DiNozzo’s hand? Thought ya knew me better than that, Die-rec-tor. It was a god-damned joke!”

Tom shrugged. “Gotta admit, Jethro, a lot of crap been going on with you and your team. In the space of a few months you allowed DiNozzo to get injured falling out of a plane, got him thrown out of a moving coroner’s van onto the Beltway. You hired an agent who was a whisker away from getting fired for sexual misconduct and getting the POTUS shot and yet you’re allowing that probie to pick her own assignments and give orders to her superiors.

“You’ve ignored protocol, endangering the prosecution of cases, and scuttlebutt is rife that you’re sleeping with your probie. That’s the only reason people can think of that you’d tolerate her crap when Blackadder got tossed out on her ass when she stuttered once on an undercover assignment – one that you shouldn’t have let her work because of her personal connection to the case. Way I see it; her screw up was all your fault anyway ’cause you didn’t bench her for the sting operation as per regulations.”

Gibbs tried to respond, but Tom shook his head. “You’ll get you turn, Jethro. So, since you became a three-person team again, you suddenly decided that DiNozzo needed to be assaulted.” Seeing Gibbs object, he waved it away. “You can call it a head slap, a Gibbs’ slap, but in my opinion as director, it is an assault. And I outrank you, so my opinion trumps yours… it’s an assault!”

“It’s a damned wake-up call! Stop him messing about – get him to focus.”

“If that’s so, and I still maintain that it’s an assault, how come he suddenly needs a wake-up call? He didn’t need it when you recruited him – all his evals from the various precincts he worked in never mentioned he lacked focus. His undercover work never suggested he needed help to concentrate, and don’t blame it on him being unable to work with females because he’s skirt chaser. He and Vivian worked fine together and he had a female partner in Philadelphia PD – a Zoe Keates. None of his supervisors reported he had difficulty working with female officers.

“In fact, as SFA, you left him to run the Lieutenant Singer murder investigation with Vivian and Dobbs – that was a high-profile case – so clearly you had no problem with his focus… until
Privately Tom thought it was because of the so-called ‘banter’ between Todd and DiNozzo pissed Jethro off, not being the most tolerant of individuals. Yet for some inexplicable reason, he was loathe to correct Todd, and prevented DiNozzo from doing so either. Tom wasn’t a prude or a killjoy, but Probationary Agent Todd was fond of making barbed comments that he didn’t appreciate or harping on constantly about sexual bias.

He remembered Chris Pacci’s commenting to him that the ratio of so called ‘bantering’ comments that he’d observed on her second case. He’d counted her delivering 14 derogatory comments in the bullpen to Tony’s 3; that was a ratio of almost 5:1, which wasn’t balanced by any objective measure in any universe. The definition of banter to his mind was a playful and friendly exchange of teasing remarks, jokes, wisecracking, joshing, or a quip didn’t seem to fulfil the description of Todd’s barbs whose sole aim seemed to be to cut down or weaken her opponent.

Still, it was a topic for another occasion. NCIS had an immediate problem and SecNav was livid – demanding it be fixed. That stuck in Tom’s craw, since SecNav’s siding with Jethro in his insistence that he be allowed to run the MCRT as his private fiefdom rather than an integral but ultimately replaceable part of NCIS was the bane of Morrow’s existence. This FUBAR situation could have been ultimately avoided if he’d been able to disciple Gibbs’ team like he would any other agents who didn’t get to do whatever they damn-well wanted. If everyone got to make up their own rules and ignore procedures, it would be total chaos and anarchy and they wouldn’t be able to work effectively.

That wasn’t how the chain of command worked. Hell, even as the director, he couldn’t do as he pleased. He had to follow orders from his superiors; even the asinine orders to let Gibbs run his own show. Morrow, as head of a quasi-military based law enforcement agency, was effectively answerable to the hierarchy of both the Department of Justice and the Military – the DoD. He had to constantly justify the financial expenditures of the agency and prove that they were fulfilling their brief – which based solely on the recent performances of Gibbs’ team, would be a cause for concern when their cases went to trial.

In fact, Gibbs was about to discover that despite having so called ‘carte blanche’ to do whatever he damn-well pleased, his friends in high places were not invulnerable themselves to being held to account. Forced to make a choice between his survival and their own - it was a no-brainer as to how the chips would fall in a crisis. This was a crisis!

Gibbs snarled at him, “You can’t believe I broke DiNozzo’s hand deliberately.”

Truthfully, Tom didn’t think so, although he wasn’t one hundred percent sure about the Marine’s innocence. Last year with Blackadder or just Gibbs and DiNozzo working as the MCRT, he’d have
staked his career on the fact that Jethro would never pull that kind of shit. But not now. Not with all the crap that had happened with the MCRT since their newest probie joined the team. Cases had been blowing up in their faces on a regular basis – some literally. He frowned, thinking about the Suzzanne McNeil bombing and the Seaman who put a bomb aboard the USS Foster, fiascos which had been in a large part, due to her inexperience and Gibbs’ failure to observe well established procedures.

Bottom line, Todd was a probie and the buck stopped with Gibbs (or it should). He’d been making some god-awful decisions ever since he hired her. Now Tom was only about 85 percent certain that DiNozzo’s injury was just an unfortunate coincidence; not something he’d risk his house on, let alone his career.

“You really can’t blame people for asking the question, Gibbs. You positively revel in your two B’s for bastard reputation. Plus, you frequently tell people that you don’t make threats – the implication being if you say you’ll do something, then you will. You go around hitting DiNozzo over the head in the last month or so. So, when you tell him, in front of witnesses, that if he touches your phone again that you’ll break his fingers – what are people meant to think?

“And don’t forget, you also tell everyone all the time that actions speak louder than words. Then when DiNozzo turns up with a broken hand, after handling your phone, you can hardly blame people for thinking you followed through on your threat? Especially when any normal, decent person who accidently shut a truck door on someone’s hand hard enough to fracture multiple bones in their hand, including his fingers, said individual would apologise immediately. Even though it was an accident.”

Tom looked at his agent. “It looks bad… really bad, Jethro.”

Gibbs still didn’t seem to be taking it as seriously as the situation warranted. He shrugged. “Maybe so, Tom, but DiNozzo isn’t making accusations. So, what’s the problem? I really didn’t mean to slam his hand in the door.”

Morrow felt like banging his head on the conference room table. “The problem is that we’re a federal agency that is supposed to be actively involved in law enforcement and we must be transparent about how we pursue it. It isn’t enough for you to not have done the wrong thing, you must be seen to have not done the wrong thing. And this situation, this ‘coincidence’ looks like you are guilty.”

The former Marine looked incensed. “Really, Director? Don’t you think that you might be blowing this out of proportion,” he drawled, probably thinking his friends in high places would see him right. “This will all blow over in a few days,” he predicted.
Tom figured he was probably thinking of the all the recent FUBARs and how SecNav and his old boys’ network of former Marines would make it all go away. Fat chance, he snorted, even rats will desert a sinking ship.

“I wouldn’t count on it, Gibbs,” he retorted, before pulling out two sheets of paper. “Oh, did I forget to mention the article that will be appearing in the Post tomorrow? My bad! Read it for yourself,” he invited as he passed over the two stapled sheets of paper to the former gunny.

Gibbs reluctantly picked it up and saw a news headline with a story underneath it. Looking pissed off, he started reading it;

Federal Agency Condones Bully-Boy Procedures

by Reed Davis & Carla Grahame

Naval Criminal Investigative Services (NCIS) a federal law enforcement agency investigating crimes against the Navy and Marine Corps, their personnel, and dependants has been accused of condoning the use of threats, physical intimidation, bullying, and assault.

They are thumbing their noses at standards of common decency, laws, and accepted procedure. Despite being a tax-payer funded organisation supposedly adhering to Department of Defence rules and regulations, not to mention their own procedures and protocols, they are renegades playing fast and loose with the law.

Its DC offices have a problem with its foremost investigative team, the Major Case Response Team. Its team leader, a Leroy Jethro Gibbs, is permitted by his superiors to do as he likes. He allegedly screams at his agents on a regular basis, which includes threatening them with dismissal or bodily harm. He also appears to be a huge fan of Gilligan’s Island since he regularly whacks his second in command – Special Agent Anthony DiNozzo, a former detective with the Baltimore Police Department, over the head a la Skipper and Gillian, when angry.

Although these so-called Gibbs’ slaps may sound comical, medical research has demonstrated that repeated blows to the head can cause brain damage and neurological disorders such as early onset dementia and Parkinsonian like syndromes. Considering the physical risks incurred by law enforcement personnel, including the propensity for concussive brain injuries to occur, it seems poor practice for NCIS to permit supervisors to hit their agents.

However, even more serious, Special Agent Gibbs recently threatened to break Agent DiNozzo’s fingers if he dared to touch the team leader’s phone again. This threat took place in front of
witnesses – including one of the above journalists, Ms. Carla Grahame who verified it had taken place. Unconfirmed reports allege that the agent had taken Gibbs’ phone which belonged to NCIS, trying to locate his superior who disappeared and was suspected of unlawfully helping a wanted FBI fugitive to evade arrest. Last week it is alleged that Gibbs broke Agent DiNozzo’s hand – including three fingers – after he was ordered by Director Tom Morrow to hand over his leader’s cell phone as evidence.

When asked for a comment on these claims, Special Agent Gibbs hung up on us on numerous occasions. Special Agent DiNozzo refused to comment, although he was heard to joke to other agents that **at least it wasn’t his shooting hand.**

Sources within the agency revealed that a team member expressed regret to other NCIS personnel, saying it was a pity Gibbs hadn’t broken his jaw instead and then they wouldn’t have to listen to his sexist jock jokes. When asked to give a comment on the record, Probationary Agent Caitlyn Todd declined, stating that any and all comments related to investigations must be directed to the Media Liaison Office.

A representative of the Department of Defense stated that they do not condone the physical and mental intimidation of NCIS personnel by superiors and will launch an investigation of procedures and protocols of NCIS immediately. They also promised to investigate the injury to Agent DiNozzo. The NCIS Director, Thomas Morrow, said that the matter was being investigated and he couldn’t comment further.

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“What the fuck is this?” Gibbs roared, clearly pissed off, as he threw the copy of the article onto the table.

Tom wasn’t sure why it had evoked so much fury since the article could have been a whole lot worse and most of it was semi factual.

“This is the story that the Post plans to run in tomorrow’s edition. It is also appearing in The Hoya – a student newspaper at Georgetown University. Carla Grahame writes for The Hoya. She’s a journalism student who works in the NCIS evidence garage to pay for her tuition. From what I can gather, Grahame was present – underneath a vehicle collecting evidence - when you threatened DiNozzo about touching your cell phone. Since she has seen your ‘carte blanche’ style of leadership during a number of disasters recently, she claims that she was afraid that making an internal complaint would see it swept under the rug.
“Being a student journalist, she decided to use her pen to right what she sees as an injustice by writing a news story. She also, I suspect, thought she had a scoop on her hands that might lead to a paid journalist’s job. She’s been hawking the story to various dailies and weeklies before the Post tossed her a bone and teamed her up with a hack at the Express, but then Reed Davis at the Post caught wind of it and called dibs on the story since the Post is the Express’ big brother. Davis is an experienced journalist and he whipped it into shape and started stirring up trouble in the right places. Now SecNav has been fending off Stars and Stripes who are also investigating her claims. This won’t be just a three-day wonder.

“Stop scowling at me Gibbs… you brought this FUBAR down upon the agency, not me.

Gibbs always claimed he didn’t play the political game, but Morrow knew what an utter pile of horse hockey that was. Jethro played the game when it was to his advantage and he’d managed to rule the roost at NCIS for the most part, swanning around scaring everyone silly. Meanwhile, Tom did all the thankless ass kissing and the paperwork and Jethro did as he damn well pleased, granted impunity from his pals on the Hill. Well it sure as hell was going to bite him on the butt this time. He’d forgotten the cardinal rule of politics. Phil Davenport was, above all else, a politician who always looked out for #1 when all was said and done.

Sighing philosophically Tom warned Gibbs. “DoD has already informed me they will be investigating the MCRT and your conduct. IA will be specifically investigating Grahame’s claims too about how DiNozzo’s hand came to be injured. The story is bound to be picked up by other media outlets.

~o0o~

Gibbs stalked out of the director’s office and decided to get a coffee from the coffee cart located in the Naval Yard down by the Anacostia River. Having bought three black coffees, he downed one promptly despite it being scalding hot. Setting the two remaining coffees in their cardboard tray down on the bench seat, he parked his ass as he made a phone call to Philip Davenport’s private phone line, bypassing his idiot simpering minders.

“Gibbs, was going to call you.”

“Wanted to read you in, Sir.” Gibbs responded, using the hated sir.

“Yeah, no need. I’m aware of the unfortunate situation. Not going to be able to make this one go away, Gunny. ‘Fraid the Assistant Attorney-General’s has been made aware of this situation and will be discussing it with the Attorney-General, especially once the story is published.” Davenport paused
momentarily before continuing. “I wanted to give you a heads up that the Justice Department is insisting that you be suspended pending the outcome of the IA investigation into DiNozzo’s injury.”

Gibbs scowled even though SecNav couldn’t see it. “I didn’t break his hand on purpose. It was an accident, damn it!”

“Of course not, Gibbs. It was just a coincidence. Just stick to that line and it should be fine, Gunny.”


“Yes, I know. Civvies don’t understand that sometimes it’s necessary to maintain discipline, but they can’t prove anything, Gibbs. Stick to your guns and it will be fine – we can weather this investigation. On the other hand, the DoD enquiry is a different kettle of fish. There have been a lot of SNAFUs lately. I turned a blind eye on them because you wanted carte blanche and I owed you - you saved my butt a time or two. But Gunny, we can’t stand the scrutiny of a DoD enquiry into your repeatedly ignoring protocols and procedures. Not when there is a media circus ensuring they’re gonna be going through everything with a fine-toothed comb.”

Gibbs felt an agonising pain between his shoulder blades, like someone just stabbed him in the back. “What are you saying, Phil?” he growled furiously.

“I’m saying you had a good run, Son. I let you do what ya wanted with that team of yours and it worked out fine for both of us – at least until recently. There’ve been way too many FUBARs on the MCRT in the last six months for it to just go away, especially now the DoD is looking for dirt. Maybe you shouldn’t have hired your girlfriend…”

“Todd is not my girlfriend!” Gibbs interrupted furiously.

“Excellent response, Gunny. Just keep denying it, no matter what,” Davenport responded approvingly. “Hopefully, there’s no physical evidence to trip you up – I trust you used condoms?”

“It’s the freakin’ truth… she is not my girlfriend,” Jethro growled, not at all perturbed that he was going head to head with SecNav.

“Then why the fuck would you hire a washed up Secret Service agent? It certainly wasn’t for her profiling skills.
When Gibbs didn’t answer, Davenport chuckled lasciviously. “Good one, Gunny! Had me going there. I hear she’s got a smart mouth on her. She order you around when you sleep with her? Made any videos – I’d pay good money to see Leroy Jethro Gibbs getting his ass smacked, or do you paddle hers?”

Gibbs cursed fluently and loudly before finally becoming somewhat coherent.

“…I am not sleeping with Todd. She is not my bit on the side. I hired her ‘cause I wanted a female on the team and she was a profiler.”

“You’re kidding, surely. She couldn’t profile her way out of a wet paper bag. Where the hell did she get her training?”

“She not that bad.”

“Hell she isn’t! She missed that Seaman MacDonald, the kid who tried to kill the captain of the USS Foster because he was crazy, as she thought he was a poor dupe. And she let a murderer blow up a corporate building killing people because she thought she was a pathetic put-upon victim. She couldn’t identify an imposter on the Philadelphia from a handful of suspects and we nearly lost an entire sub to an eco-terrorist. Yet you say she isn’t that bad? When did she profile anything correctly?

“Hell, Gunny, you fired your last female agent because she looked at a target for maybe five seconds too long, tipping the bastard off you were stalking him. At least she had a damned good reason for her slip up since the target killed her brother. I’d have thought of all people you would have empathised with her – after all, it wasn’t like she was an axe murderer or anything. She just made a mistake because of grief. So, surely you can understand why we all think you’ve gotta be banging your probie to let her get away with the shit that you do.” He was silent and Gibbs didn’t deign to reply to the huge elephant that Davenport had alluded to – okay, several elephants.

SecNav found his second wind though. “She’s not your illegitimate daughter, is she, Gunny? I hear she’s a real ball buster. Chip off the old block, the apple doesn’t fall far from the tree, yeah?” He laughed again, highly amused at himself, and Gibbs crudely suggested he should go and do something anatomically impossible.

Davenport just laughed even harder before finally becoming serious again. “Oh well, water under the bridge I suppose, Jethro. Live and learn, eh? Back to the matter at hand; you do realise the fun’s over now? I can’t make this one go away since the press is involved and too many people know about it.
“So, Gunny, it’s time for you to take one for the team. We have to let the chips fall where they may. You’ll probably be demoted, possibly to SFA, or they may even bust you back a few grades and send you to some field office like Accra, Dakar, or Nevada. But you play hard and fast with the rules – you gotta expect that it will catch ya in the end.

“Chin up… if worse comes to worst and the DoD do recommend dismissal, then you can always do black ops for the Corps.” Inherent in Davenport’s job offer was the covenant that SecNav’s ass be kept out of any crap that might be unleashed by the DoD enquiry.

Hanging up without bothering to hear more, Gibbs started to call around, contacting his far-reaching list of friends in high places. Irritated as one by one, they fobbed him off, refused to take his calls. A precious few, who, like his old Marine buddy, Patrick Kiley – a US senator who at least had the cojones to tell him to his face he was now persona non-grata on the Hill – let him know he was on his own.

It looked like he was in deep shit now and the irony was that DiNozzo’s little accident resulting in a fractured hand was nothing more than an unfortunate freakin’ coincidence! How ironic was it considering he had a rule about coincidences. Clumsy accident prone idiot might just have cost Gibbs his job – and who would catch the dirt bags if he got the heave-ho?

One thing he vowed to himself - if he lost the team, he was going to find Carla Grahame and make the nosy little brat rue the day she messed with Leroy Jethro Gibbs. If there was anything he hated as much as lawyers it was grubby, snooping journos!

End Notes:

Accra (Ghana), Dakar (Senegal)
Lying Eyes and a Cup of Darjeeling

Chapter Summary

In the wake of the siege at NCIS where Ducky, Cate and Gerald are taken hostage and Gibbs and Cate are not handling the fallout well.

Chapter Notes

Thank you to everyone who left comments and kudos for the last tag. This one is long - you might want to make yourself a hot drink - dare I say a cup of tea lol. This tag has been beta'd by Arress but all mistakes are mine as they say.

Series: There’s Always Tom Morrow

Episode: Beta Noire

Title: Rule: Lying Eye and Darjeeling Tea

Cast: L.J. Gibbs, Tom Morrow, Tony DiNozzo, Caitlyn Todd, Janet Watkins (OC) Cynthia Sommers

March 7th 2004.

“So, I have to ask myself, do you have a death wish, Special Agent Gibbs?”

“No, of course not. Don’t be stupid!” He glared at the NCIS pet shrink, Dr. Janet Watkins. It was a Gibbs’ glacial stare, meant to leave the terrified recipient filling their pants – it certainly had in the past. Unfortunately, it seemed to have the opposite effect on Watkins, all five foot four inches of the slender, fine boned psychologist. She smiled microscopically, cocking her head slightly to the left as she regarded him steadily. Remaining quiet, letting the tension build as she waited.

In the silence that supervened, he looked around her office. Nothing unexpected here. There was the obligatory comfortable seating, a desk in one section of the room, where her diplomas were framed and displayed on the wall. There were some black and white photographs of landscapes, also framed
– predominantly seascapes but one of the desert – maybe Nevada. Another was an unusual one taken in a city, possibly NYC, but looking up at the sky amidst all the steel, glass, and concrete skyscrapers. It was brooding and claustrophobic and he wasn’t sure if he loved or loathed it. Then there were several photos of rural scapes – mountain ranges – the Rockies perhaps and another one of open plains with wild buffalo. Calming!

The room had been painted a cool grey and Jethro was glad she’d decided on grey – he’d grown accustomed to that awful orange colour back at the office – at least he thought he had. Until he walked into a room that had been painted not to resemble the inside of a pumpkin. He figured they must have got that orange coloured paint for below cost – there was no other reason he could think of to choose such an awful colour, or else the decorator was colour blind! That or perhaps they had a grudge against the Naval Criminal Investigative Service and wanted to torture its employees.

Shrugging, he turned back to his inspection of the room, noting that it was bare of fripperies, which he heartily approved of. Well, apart from some greenery from pot plants (in his opinion plants grew in the garden) and some aquatic plants floating in the ubiquitous fish tank filled with tropical fish. Jethro wasn’t au fait with the varieties (Kelly kept goldfish), he just knew they were spectacularly coloured, flashy but soothing. A bit like DiNozzo, he was often more annoying than restful, although his yabba yabba had become so predictable that it was soothing – kind of… sort of.

The only personal paraphernalia in the room was a pack of playing cards, which Gibbs thought was a little odd. That and a series of small photographs in picture frames on her Cherrywood desk showing off a number of children – three or four - at varying ages, some with a male – some without. There were a couple of photos of two young women with a baby and Jethro scowled, because these happy snaps were obviously the shrink’s family.

Great. Just. Great. So now, he was going to be assessed and lectured to by some sanctimonious female quack who had no idea what it felt like to have her world torn apart by the loss of her family. See, this was why he objected to all this crap. These fools dared to lecture him when they didn’t even know their ass from their cakehole when it came to living with true pain and loss. They knew nothing about his world or the dirt bags who hurt innocent lives and ripped families apart. They couldn’t relate!

Well, all he could say was that she’d better not try to bring up his Girls, if she knew what was good for her. If she tried, he’d make damned sure she regretted it!

He’d been ordered by the director, Tom Morrow, to attend a psychological evaluation and additional counselling sessions (no freakin’ way) as deemed necessary, following the fallout from the FUBAR shambles at NCIS. A terrorist had infiltrated the building, holding Ducky, his assistant, Gerald Jackson, and Gibbs’ newest agent, Caitlyn Todd, hostage in the autopsy suite. His objective had been to retrieve forensic evidence relating to Qassam, including his body, to conceal the fact he was planning a bioterrorist smallpox attack on the base at Norfolk.
The siege ended badly, with multiple casualties, including a fatality from the FBI Hostage Rescue Team, ensuring that everyone was going to be forced to see the shrink before getting cleared for work again. Since the MCRT had one member wounded (him) and another member (Todd) taken hostage as part of the siege and ended up in a morgue drawer with Ducky, it was a no-brainer that they’d be getting intimately acquainted with the shrink, he guessed. Although, Gibbs had never encountered Janet Watkins before. Still, Gibbs could eat shrinks for breakfast – well, he could normally.

Watkin’s opening gambit was certainly not solicitous or validating or non-confrontational or any of that supposedly life-affirming crap that the shrinks always went on about. No - it was in-your-face. It was fucked up, was what it was and it had made him stumble, physically and mentally. Jethro hated stumbling – it was a sign of weakness. Hence, his urgent need to examine her office, trying to get a bead on her. *First rule of war – know thine enemy.*

Although, kudos to her for giving him time to scope out her office and acclimate to his locale without demanding him to respond like a trained monkey. If he had to rate her on first impressions, it would be tough but fairish, but he’d reserve judgement on her bed-side manner ‘til afterwards. Didn’t mean he was happy about being here. It was a waste of his time.

Finally, she responded to his previous denial of possessing a death wish. *As if!*

“Really, you sure about that?” She sounded dubious. “Then perhaps you can explain to me why a) you knowingly went into a hostage situation without your vest and b) why you failed to mention this fact in your after-action report, Agent Gibbs.”

Jethro shrugged, seemingly unconcerned by her question – *never let them think they’ve got you on the ropes.* “Yep, I’m sure. And the tac vest - in the heat of the moment… guess I forgot. Wouldn’t have prevented me from getting shot. Besides, it would have been an admission he had the upper hand.”

“He who?”

“The terrorist.”

“So, which of those reasons, if any, are true? You just gave me three explanations for failing to observe procedure and donning a bulletproof vest when going into a siege situation. Which one should I include in my report?” Janet inquired sweetly.
“Up to you. Take your pick, Dr. Watkins.”

“Guess that answers my fears about verisimilitude. Okay, let’s say I go with answer one for my report - that in the heat of the moment you forgot. That might even be remotely believable if you weren’t an ex-Marine gunnery sergeant and used to operating under extremely stressful combat conditions. That’s what procedures are for and why you train so hard, so you don’t have to think about it in the ‘heat of the moment’, you just do.”

“No such thing as an ex-Marine, Doc-tor,” he drawled complacently, folding his arms as he smiled smugly.

Writing something down on her pad, she arched her well-shaped left eyebrow, tucking a stray lock of ash-blonde hair away from her face as she eyeballed him. Warm caramel-coloured eyes locking onto glacier blue. “If that’s true, then start acting like a real Marine, Gunny, instead of a loose cannon AKA a renegade dumbass!” Janet retorted, scathingly.

Ignoring his evident outrages spluttering and the battle he was waging not to clean her clock or go storming out of the room, she continued on, as if she hadn’t essentially just told him he was full of crap.

“So, let’s examine excuse number two, shall we - the fact that a tac vest wouldn’t have stopped you getting shot. I think that is rather debatable. I’ve asked a few colleagues for their opinions and they agree that as you were shot in the upper left chest, the vest probably would have stopped the bullet from penetrating, unless the bullet hit you above the top edge of the vest. But I guess we’ll never know for sure, will we? Why - because you didn’t wear one.”

Gibbs snorted in disgust. And people wondered why the hell he hated shrinks. They had no idea what they were talking about, just cuz they had a degree or two didn’t mean they knew squat about what it was like to be a fed. Sitting there pretending to know about getting shot when, likely, she’d never fired a gun in her life. Damn, he needed a coffee – this was torture having to sit here and remain civil.

Watkins shrugged. “Let’s suppose for the sake of argument that you are correct and the vest wouldn’t have prevented you getting shot. You sure as hell didn’t know that when you opted not to wear it – and I do believe you made a conscious choice not to wear it, Gibbs, since you already broke protocol on the 14th of February. For your information, that was only three weeks ago during the serial sniper case who was killing Marine Recruiters.
“Again, in a high risk situation, you refused to wear your vest and failed to mention that fact in your reports, and it was your 2IC who included it in his after-action report. Seems he wasn’t happy about it – smart man! It was a serious breach of procedure that was inexcusable the first time. The second time – well, let’s just say that death wish theory is looking highly plausible, either that or you’re stupid!”

“I did put it on during the sting with the sniper, but I had to take it off. It was showing under my uniform,” Jethro protested, deciding he was going to make DiNozzo pay for ratting him out. He’d be gassing the truck ‘til Gibbs retired!

“Then you damn well requisition a larger uniform so it won’t show – it’s not brain surgery, Gibbs,” she retorted. “You don’t go without it. But you were too damned vain – so proud that you could still fit into your old Marine uniform, when that should have been the least of your focus.”

Gibbs shrugged, still unconcerned by her criticisms. “Anyway, we had bulletproof glass. I was in no danger.”

“That’s crap, Gibbs; there’s no such thing as bulletproof glass, it’s only bullet resistant - there are no guarantees, which is why safety protocols are enacted such as wearing as protective gear. Aside from that issue, if the killer came into the recruitment office – which he did – what if he’d realised it was a trap to apprehend him? If he’d realised you or Agent Todd were a plant, he could have pulled out a gun and shot you. Since you weren’t wearing a vest, he had not only your head but your torso to aim at, doubling the chances you would have been killed.”

“As if… that’s crap! Serial killers don’t change their MO’s Besides, he wasn’t a serial.”

“Technically that’s so, although you were meant to be victim number three, so splitting hairs here. And of course, they change their MO’s, given the right circumstances such as changes to their environment or motivations - like survival. Plus, at that time you didn’t know he was acting alone – you could easily have been looking at two perps.”

“Nope, Todd profiled him – we knew he was working alone.”

“No! You didn’t know. YOU assumed. Isn’t that breaking one of your precious rules?” she pointed out acerbically.

Shaking her head at his stubborn refusal to face facts, she continued, “Profiling isn’t an exact science
and to be perfectly blunt, Agent Todd has a questionable record as a profiler at NCIS. She profiled
that the killer might be someone who comes in posing as someone enquiring about signing up so he
makes contact with his victim before he kills him. Her profile never entertained the possibility that he
might be working as a service delivery worker – individuals people frequently overlook and
therefore underestimate.

“She was supposed to be in the office to identify the killer, but he sailed in right under her nose and
your infamous gut; you were both too arrogant and assumed too damned much. You got lucky,
Gibbs, yet you didn’t learn from your mistake. You have a responsibility to follow safety procedures
– especially since you’re a team leader and have a duty of care for your agents.”

“My agents… my team… my rules,” the Marine countered stubbornly. *We got him – why is she
yammering on about a previous case?*

Watkins wrote something down in her notebook before responding. “Part of that duty is to set an
example modelling accepted safety protocols, of which wearing personal protection equipment is an
integral part of that equation. Something you’ve failed to do in two high risk situations within a
couple of weeks. And since as you are fond of pointing out that there is no such thing as
coincidences, that had to be a conscious choice on your part. A dumbass choice.”

Gibbs glared at the psychologist – this confrontational approach was outside his sphere of
experience – and she didn’t appear to be cowered by him, which was unusual. And frustrating. Most
people found him highly intimidating. Watkins wasn’t responding as she was supposed to, which
made it difficult for him to know how to react.

Janet wrote down a lengthy note in her pad, which he was sure was supposed to psych him out,
before deciding to move the interview along. “Okay, let’s talk about excuse number three. That it
would have been an admission that the perp held the upper hand. So, what you’re saying is you think
the HRT or SWAT teams who wear tactical vests and headgear to mitigate penetrative assaults,
including bullets or knife wounds, are showing weakness to perps? Do you also think that Marines
wearing body armour and helmets during firefights are telegraphing a message to tangoes that they’re
weak and have ceded the upper hand?”

“This was a different situation – there were hostages. My gut told me it was a psychological
confrontation, as much as it was a physical threat… I had to maintain the upper hand.”

Watkins looked sceptical. “I’d say that the terrorist had the upper hand – he escaped after all!”

“Yeah… well, we didn’t know he had a contingency plan that included a stand-in.”
“And that he was wearing a bulletproof vest when you shot him. Guess your gut must have had indigestion,” she observed mockingly. “Clearly, he didn’t share your opinion about vests. So, tell me this, do you often feel inadequate or weak, Jethro?”

“ Nope!” he growled at her, outraged by her suggestion. He was a god damned badass Marine!

“Based on your behaviour lately, I’d have to disagree with your self-assessment. 1. You put your own vanity before well-established law enforcement rules and regulations; rules and regs which have been developed for damned good reasons. 2. You have a rule that forbids your team from apologising because you think it is a sign of weakness. Most people would say that it takes balls to admit you’re wrong and to acknowledge it or to apologise to people you’ve wronged.”

“Don’t make mistakes,” Gibbs objected.

“You’re not serious?” When he just shrugged, she wrote a short comment in her notebook, underlining it several times, frowning.

Looking up at him, she observed, “I’d say you’ve made plenty lately, Agent Gibbs. Tell me… I’m curious. Why did you bother ordering Agent DiNozzo to go to the considerable trouble of finding replacements for the items he and Agent Todd seized from the search of Qassam’s apartment? I understand that the variety of tea… Darjeeling was especially problematic to swap out. I presume the intention was to convince the terrorist that he had achieved his objective in concealing the plot to infect the base at Norfolk?”

“Yeah… the tea was hard to replicate. Gave him a real challenge given the amount of time we were given.”

“So, I’m assuming that the plan was to let the terrorist ‘escape’ with the body and the fake evidence, including the fake nasal spray, and return to the rest of the terrorist cell? Enable you to follow him back there? It was a good plan. Even if you lost him, once the terrorists found out that they didn’t have the smallpox, just a generic old nasal spray, they’d more than likely have killed him. Either because he made such a monumental balls-up or because they suspected he was a double agent and deliberately sabotaged the mission. Genius!”

Gibbs scowled. Damn, that was a good plan, pity it hadn’t occurred to him before he went into Autopsy. And even more annoying that a shrink would come up with such a brilliant scheme when the plan had been to lull him into a false sense of security by giving him the evidence in return for the hostages since it was all fake – apart from the body. It was supposed to distract him into thinking they didn’t know what he was up to so they could take him down when he tried to leave the building
after leaving Autopsy.

Rubbing his hand over his face to relieve his frustration, the callouses from years of firing guns and woodworking helping to ground him, he wished he had a good strong cup of joe in his hand right now. This was a total waste of his time! He should be out looking for the bastard that shot him right now, but Morrow had gone all hard-assed on him. Locked him out of the office, and threatened every man and his dog not to help him, too.

Seeing she was waiting for a response, he shrugged noncommittally, raising an eyebrow. That was suitably ambiguous, so it might indicate agreement or dissent. He wasn’t going to admit that her plan was better than his. She didn’t have to come up with hers in a high-pressure situation.

“So, perhaps you can explain to me why practically the first thing you did when you confronted him when you went into Autopsy, was to tell him that you’d swapped out the evidence. You told him you knew about the smallpox plot and made the whole rigmarole Agent DiNozzo went through getting substitutes a total waste of time? I frankly don’t see what the point was when the first chance you got, you flapped your gums. I don’t get it – you could have put any old tea in as evidence if you had no intention of trying to fool him.”

Gibbs clenched his fists, pissed off at her second guessing his actions. What gave her the right? “He was too damned cocky. I needed to get the upper hand,” he conceded grudgingly.

“So, it had nothing to do with feeling powerless, weak, like a loser.”

“No… I won – he lost.”

“It wasn’t supposed to be about you, Gibbs. Except you made it about you… because you felt threatened by his ability to sneak into what you perceive as your territory and hold your people hostage. So, you can see where I’m going, re you having issues with feeling weak and inadequate. Why did you change the plan? What did he do that made you feel weak… ineffectual… incompetent, inadequate, impotent?” Janet continued to prod at him with a calm implacability that stirred his fury.

“Stop it!’ he roared at her. “He said I was older than he expected, so I proved I was smarter than him. That I knew about the smallpox!”

“You allowed him to manipulate the situation… to manipulate YOU! You deviated from the plan
because he made you feel inferior.”

Gibbs glared at her angrily, subsiding into a passive-aggressive silence. He’d not mentioned Terrorist Guy’s taunt about his age in his after-action report and he was pissed that Watkins had managed to force it out of him, against his will. Damn her!

“Did you ever consider the possibility that if you’d let him think he’d managed to conceal the plot from you… that he’d won, maybe he’d have underestimated you? That he’d let his guard down? Did you ever think that you made him so angry about failing in his objective, that he deliberately killed the HRT agent? After all, he restrained the hostages – and yes, he shot Gerald, but he didn’t kill them.”

“That’s crap,” he retorted furiously. “He didn’t kill me – if he was that pissed off at me, he would have made it a head shot and I’d be dead!” Jethro snapped at her. How dare she second guess him, she knew fuck all about hostage sieges and dealing with terrorists. Sanctimonious head shrinking do-gooder! Needed a boot up the butt without a doubt.

Ignoring him, she calmly proceeded, “Yet ironically, you ended up underestimating him. You wrongly assumed that you had him trapped, that he couldn’t escape, because you desperately wanted to rub his nose in it that you were smarter than he was, even if you were older than he was. Maybe killing the FBI agent was his way of sending you a message - a fuck you - ensuring his was the last word on the subject and leaving you alive was so you’d know he’d won and you’d lost.” Watkins pushed at him, knowing she was poking the bear.

Not that it made what she said any less valid for him not wanting to hear it. And predictably, there it was – his default emotion and behaviour. Attack your enemy when backed into a corner.

“I think you should pull your head outta your ass, Watkins. The dirt bag was a terrorist. He was just reacting – he was a dumbass.” Jethro felt frustrated. This was gonna be a long interview! He’d kill for a coffee.

~00o~

Probationary Special Agent Caitlyn Todd felt herself relaxing despite her anxiety. The grey walls were calming and the photographs were eclectic and interesting. The office décor, while essentially monochrome, had pops of colour in the plants, aquarium, and an assortment of family snapshots on Janet’s desk. Cate had been surprised that they’d had to travel downtown for their psych evaluations after the siege in Autopsy, but she’d learnt after asking around that that Janet Watkins was not an NCIS psychologist. She consulted with federal agencies, including the FBI, and she could
understand why Watkins had been hired since her doctorate was in trauma and PTSD in law enforcement professionals.

Although knowing that, Janet was not at all what she’d been anticipating. She’d been expecting someone touchy feely and affirming, but Dr. Watkins was blunt and to the point. She’d asked Cate to debrief regarding the siege when the terrorist had stolen Qassam’s body and cut a swathe through NCIS and the FBI after he took her, Ducky, and Gerald hostage. The psychologist deftly led her through her account of the siege, sometimes pausing to clarify points and to take notes. When she had finished, Cate noticed randomly that Janet had a set of playing cards sitting on her desk, which struck her as odd. Would psychologists endorse gambling; probably not. Janet probably played Solitaire in between appointments to pass the time.

She forgot all about the pack of cards as the psychologist turned up the heat on her. Cate had had to attend quite a few of these psych evaluations since joining NCIS and none of them had been exactly pleasant, but Watkins proved to have an uncanny knack of knowing when she was holding something back. Uncanny and uncomfortable. It was like she was psychic.

“There’s something I wanted to discuss, Cate. As I understand it, you had a chance to disable the terrorist with a surgical scalpel?” Janet probed, eyeing the agent intently. “Can you tell me about that?

Cate seethed inwardly. That wasn’t in her report, so Gibbs or Tony must have ratted her out since she’d confided in them both. Chauvinistic males, ready to toss her under the bus! Belatedly, Todd realised that maybe Ducky or Gerald, perhaps both, would have included the incident in their victim statements. Damn, why didn’t that occur to her - she shouldn’t have left it out. It would look strange that she’d failed to mention it.

“There’s really not much to tell, Janet. It was just a split second - I hesitated and then it was too late. The terrorist told me later it was a test.”

“So, what you’re saying is that you couldn’t have disarmed him and he set a trap to see what you’d do?”

“Yes… no… I don’t know. Look, it’s no big deal.”

“Did it occur to you that maybe he lied to you about it being a test after he realized his lapse. That he might be messing with you?” Janet quizzed mildly.
Darn it! No, it hadn’t and Cate realized that she had probably conveyed that sentiment to Watkins by her silence.

“So, that’s why you didn’t include it in your after action report? Why hide it if it wasn’t important?” Watkins asked perceptively, impaling Cate with a penetrating stare that rivalled Gibbs’.

“You know better than that!” Janet chided her. “The more intel we have on a suspect, the more effective the profile we can build. Yet you chose to conceal what might be a vital piece of information from other professionals and agencies who are trying to apprehend this individual.”

Cate tried not to wince; she should have thought of that – she was the profiler. “I… ah… must have forgotten to put it my report,” she responded lamely.

Janet stared at her and Cate got the distinct impression that the psychologist didn’t believe her for a minute. The psychologist seemed to be a lot more streetwise and less academic than Cate had expected and the profiler found it disconcerting.

“Let’s come back to that statement later. Right now, I’d like to focus on the reason for your hesitation. It made you miss grabbing a chance to end the siege, so I think it needs to be explored, don’t you? Tell me, did you second guess your abilities or training?”

“No… never. I’m a former Secret Service agent; my training was impeccable and I excelled in hand to hand,” she boasted. She could kick anyone’s butt!

“Then why, Agent Todd. What made you falter?” Watkins kept poking at her wounded ego; clearly she wouldn’t give up until she’d laid her soul bare. Fine!

“He had kind eyes, all right?” Cate burst out in exasperation.

“The terrorist had kind eyes? So you hesitated?” Janet queried, checking to see that she understood correctly.

“Yes,” Cate confirmed shortly. Hope you’re happy, now biatch!
“Okay,” she stated, contemplating this information, before offering some therapeutic empathy/insight. “Well, I’m sure you realised your mistake later when Mr. Jackson was shot so cold-bloodedly before your eyes. Do they know yet if he will manage to keep his arm or will it have to be amputated?” the psychologist enquired solicitously.

Cate shifted in her seat uncomfortably. “They think that it can be saved,” she answered briefly, her eyes inspecting her brand-new Jimmy Choos, wishing Janet would drop this subject.

“You must all be relieved about your workmate. I’m sure you were worried about him.”

Cate nodded. She was really glad that Gerald was going to be okay, even though he faced a long and painful rehabilitation, unlike Gibbs who had only suffered a flesh wound.

“From Mr. Jackson and Dr. Mallard’s statements, it appears that the terrorist was fully cognizant of the significance of putting a bullet in Mr. Jackson’s shoulder joint. That suggests to me that the man was either a sociopath – unable to empathise - or else he enjoyed inflicting pain and suffering. Even his choice of victim is highly significant. But I’m sure as a profiler, I’m not telling you anything that you don’t already know.

“In my humble opinion, the victimology is significant; how of the three hostages, he chose the individual who’s training in law enforcement is negligible, the one who had the least control over his own situation. An individual who wasn’t an agent, therefore Gerald didn’t pose a threat to him. Someone whose job was basically a gopher – hired to perform all the heavy lifting. My profiling is a little rusty, but that suggests to me that our terrorist is a bully who prefers to pick on those who are weaker than he is who can’t fight back. That or perhaps he feels powerless and doesn’t control his own destiny which may indicate there is some level of self-hatred?”

Cate looked at the psychologist, shocked. Janet had insights that hadn’t occurred to her. She’s right! If I’d been the terrorist, I’d have taken out the most dangerous person – me, not Gerald.

Looking at her shrewdly, Watkins resumed her interview. “So Cate, you didn’t say how you felt after the terrorist proved your assessment wrong by shooting your workmate. Especially because of your profiling training, you must have felt rather foolish for not trying to disarm him when you had a chance, albeit a brief one. As you say, you were a highly trained Secret Service agent, so if anyone could have succeeded, it would have been someone who guarded the president.” Cate shifted uncomfortably.

“I know if it was me, I’d be beating myself up and feeling rather foolish. Maybe we should discuss how you’re dealing with that knowledge. You do know that it’s not your fault, you had no way of
knowing that the assailant was so violent and volatile when you made your decision not to disarm him. No way to know that his kind eyes were lying eyes. You honestly thought he was bluffing – until he shot Gerald,” Watkins quietly empathised with Cate. “You’ll know better the next time.”

It was the sympathy that got to Todd, breaking down her defences. “It was after… not before. I hesitated to subdue him AFTER he shot Gerald. Okay?” she said belligerently. *Damn, she was good at ferreting out intel Cate would prefer remain unanswered.*

“I see,” Janet replied slowly. “No… actually I don’t. You’re telling me that you ignored your training, that when you get a chance to take down an assailant, you act on it because it might be the only one you get. You ignored it because you thought said perp had kind eyes. Even after you had evidence to the contrary when he shot Gerald in cold blood? Tell me, what were you thinking?”

“I was trusting my gut. My boss, Gibbs, always trusts his gut and it doesn’t let him down,” she defended angrily.

“Your gut? Operationalise that term for me, Agent Todd, so I can put it in my report, please.” Watkins requested sceptically, her pen poised on her pad.

“My gut is intuitive – it’s an instinctive and unconscious knowing without deduction or reasoning,” Cate defended herself.

“Yeah, well… your gut let you down this time. And just so you know, part of Gibbs’ so-called ‘gut’ is thanks to extensive training, plus many years of experience which have coalesced into so-called intuition. As to it never letting him down, I wouldn’t be so sure. You know what they say, even a broken clock will tell the correct time twice every day. Gibbs’ gut isn’t as foolproof as you might think.”

Cate wondered if Janet was rash enough to try that theory on Gibbs, as he’d soon set her straight; he wasn’t a fan of people questioning him.

The psychologist continued, “You have training as a Secret Service agent, granted – which you ignored; however, as a probationary NCIS agent, you have very little experience in investigative processes. Without training and experience, gut instinct is highly dependent upon emotions, which on their own, are notoriously unreliable. If you need further evidence of the unreliability of listening to your gut, then a quick review of the cases that you’ve profiled at NCIS using emotions rather than your intellect and training would be in order,” Watkins observed somewhat coolly.
Cate flushed angrily and opened her mouth to comment, but closed it sharply. She was aware that Janet had to sign off on her returning to active duties again; displays of anger would not be seemly. So, she kept her mouth shut, even if it was difficult.

“Protocols and procedures are there to assist and protect agents and victims. All your highly expensive training exists for a damned good reason; it isn’t done on a whim by instructors who decide it sounded like a great idea after a few drinks the night before. Probationary agents don’t get to override that training on a whim either, Agent Todd.”

Janet frowned at the testy probationary agent. “I don’t imagine that the Secret Service permits its agents to run around making it up as they go along, and ignoring their rules and regulations,” she enquired, although Cate figured she already knew the answer to her own question. She just wanted to know that Cate knew too.

Knowing what side her bread was buttered on, Cate replied dutifully, although she wasn’t successful in keeping the derisory tone out of her voice, “The Secret Service frowns on people who don’t follow procedures and protocols, cowboys are treated with suspicion.”

Dr. Watkins closed her pad and stared at Cate, her attitude softening as she prepared to deliver unwelcome news. “I think you know that I can’t clear you to return to the field until I’m satisfied that you won’t break protocol or ignore your training in favour of your ‘gut’. Until I’m convinced of that fact, you remain a danger to yourself, to your partners, and to innocent people who depend on you to do your job.”

Cate felt her heart sink. It wasn’t fair. Gibbs went by his gut and was worshipped for it – but then he was a man. Typical gender inequality. Everyone knew that females were far more intuitive, but because she was a female agent, there was a double standard. It wasn’t enough that she had to negotiate the glass ceiling because she was born with ovaries instead of testes. And now this FEMALE psychologist was threatening to bench her – to ruin her career. How fair was that?

Perhaps sensing a weakening in Todd’s veneer, Watkins suggested she take a break, go to the ladies’ room and grab a drink in the kitchenette before they resumed their interview. She mentioned she wanted to explore what happened before the terrorist confronted Gibbs. In other words, she wanted to talk about how it felt to be entombed in a morgue drawer which was supposed to house a cadaver. *Oh, Jesus, Mary, and Joseph, why couldn’t they just let her forget about the whole episode.*

Rising reluctantly, Cate wondered how much longer this assessment was going to take. It was ridiculous. She hadn’t even been forced to submit to a psych assessment after the terrorist attempted to assassinate the POTUS.

A tiny voice inside her head as she made her way to the ladies’ room retorted cynically that because
of her fraternization with Major Kerry, she’d already resigned.

~o0o~

Special Agent Tony DiNozzo prowled around the room like a caged tiger. He tried to avoid staring at the psychologist, although he investigated her office. Trying not to be too obvious, he was checking for two-way mirrors, concealed cameras, or listening devices, but he couldn’t do a thorough search with Dr. Watkins present. If he got a chance, should she happen to step out, he would be able to look for listening devices under the desk, in the potted plants, in the phone or in the aircon vents.

Okay, perhaps he was a touch paranoid, but he didn’t trust TPTB when it came to talking to shrinks. They were the clients and the agents were naïve if they thought that their needs took precedence over the Big Bosses. What was said in a psych eval never stayed in a psych eval – unlike Fight Club!

Tony, in his search for bugs and cameras, also took in the various diplomas, including the PhD. in Psychology from GWU, the personal photos including kids – no pets though. The piece de resistance, though, were her atmospheric black and white photographs of stunning landscapes on the walls. Tony admired the office décor, it was classic and soothing; no pumpkin orange crap here. The only thing which struck him as anomalous was a pack of playing cards on Dr. Janet Watkins’ desk.

Yet something else was off and Tony wasn’t sure what it was – maybe the psychologist. Something about her demeanour, perhaps it was her name. Had he’d heard it before? She had, after all, told him she specialised in dealing with law enforcement professionals.

He could tell that she was trying hard to build rapport, to get him to open up. To talk about what had gone down when the terrorist had taken Ducky, Gerald, and Cate hostage and abduct Qassam’s body from the morgue. He just couldn’t help feeling he was missing something important, though, and it was distracting him.

Finally, Janet stood up and walked over to her desk, snatching up the pack of cards from her desk and returned to the sofa, sitting catty-corner to Tony’s absent place. She addressed the tall brown-haired special agent who was standing looking out her window.

“Hey, Tony, how about a few hands of poker while we talk,” she tempted him, and he turned and watched as she shuffled the cards like a pro and proceeded to deal two hands of poker with an expertise that spoke of a serious poker player or even a professional dealer. Intrigued, since he’d never had an invitation like that in any of the other psych evals he’d attended, he sat down again and picked up his hand.
Turned out the doc was a shark; lucky they were playing for toothpicks, but then he wasn’t fully concentrating on the game. He knew what Watkins was doing. He’d had far too many psych evals in his career, plus getting dragged to countless therapists by Senior as a kid when he deemed him too loud and couldn’t stay still. When he acted out at school after the Hawaii fiasco when his ‘loving’ father left him in a hotel room and returned to the mainland. When he began wetting the bed and having nightmares that vampires were chasing after him when his mother died, and scores of other times during his childhood.

So, it really wasn’t surprising he was naturally cautious around therapists and psychologists. And he recognised that Watkins was using poker to distract him, since he did deflection himself. Curiously, though, he wasn’t feeling as manipulated as he would expect to be. Partly it was that as long as the doc didn’t stray into any of his no-go stuff like his childhood, alcoholic parents, or getting dumped by Wendy at the altar, he would be okay.

Truth to tell, he didn’t have much to discuss about the whole siege at NCIS after they thwarted Qassam’s plot to infect Norfolk Naval Base. He hadn’t been taken hostage or injured, or actually had any contact with the terrorist, so he was dubious that it was necessary for him to even see Watkins. He didn’t anticipate that she would be delving too deeply into his murky personal history since his involvement was peripheral, but regulations were regulations and Director Morrow had spoken.

As they played several hands of poker, she quizzed him. “You must have felt extremely pressured to find the tea that needed to be substituted, given the limited time constraints and the consequences if you didn’t make the deadline.”

Tony shrugged as he examined his cards. “I suppose, but on a scale of one to ten on the DiNozzo-Under-Pressure-Scale, it was probably a three… maybe a four at most. Stress and working under pressure goes with the job, Doc. Finding a lead for Gibbs when he hasn’t had his coffee is only slightly less stressful”

“So, just a normal day at the office?” she replied as he nodded thoughtfully. Smiling at him she said, “My poker buddies call me Janet and since you requested I call you Tony, how about you return the favour?”

Looking at her teasingly, he replied, “Why Janet, are you flirting with me?” He fluttered his eyelashes at her before chuckling. This was the weirdest-assed psych eval he’d ever had. Normally he was the one doing the flirting, or the clowning or the acting like a jerk to deflect the shrink and make them forget what they were supposed to be doing. He didn’t like company inside his head and was good at keeping people out, doing whatever it took to make it happen.
“Oh, most definitely, Special Agent Tony,” she joked too before throwing out a card and picking one up from the deck. “So, it didn’t piss you off when you went to all that trouble to get hold of the authentic brand of tea with such a limited timeframe and then Gibbs spilt the beans about them being fake as soon as he got inside Autopsy. If that had been me busting my ass to find the stuff and run it down in time and my partner had thrown it back in my face like that, I’d have punched his lights out,” Janet probed curiously.

Tony looked momentarily thrown by her information; shock, anger and betrayal flashed swiftly across his features. Swiftly, he plastered a huge grin on his face before responding. “Well, since he’d been shot in the shoulder by the tango, that might have been overkill,” he joked, giving her one of his brightest but fakest of smiles. “But seriously, I’m sure Gibbs must have had a damned good reason for abandoning the plan. Something must have happened to make the boss change tactics like that,” he stated loyally.

“You didn’t know?” Janet quizzed, surprised.

Tony chuckled briefly as he stared at his hand, noting absentmindedly the white crescent shape on his thumbnail. “In case you haven’t noticed, Gibbs isn’t exactly a chatty person, Janet,” he kidded with her, even if it was true. Yes, he was upset that he hadn’t been informed, but Tony wasn’t about to air the team’s dirty linen to a stranger – to a shrink no less.

“But you two are partners, Tony. You don’t hide work stuff from your partners,” she argued with him tenaciously.

And then a light went on his head and everything fell into place. “You’re a cop!”

“What makes you think that, Tony?” Watkins queried inquisitively.

“You play poker like a cop on a stakeout. You walk like a beat cop, you talk like a cop, you think like a cop, you have the situational awareness of a cop. You remind me of my partner in Philly. Ergo… You. Are. A. Cop.”

“I’m a psychologist, Tony,” she said. Seeing the stubborn tilt to his jaw and the crossed arms that said he wasn’t buying what she was peddling, she sighed. “I AM a psychologist, but you’re right. I was a cop. A beat cop in NYC and then Patrol in Metro PD.”

“Why’d you leave?” He looked at her photos on the desk. “Your kids?”
“I got shot. Lost 85 percent of my right lung. Then my husband got sick.”

Tony had noticed that the guy in the family photos was missing as the kids grew up. He’d assumed there’d been divorce, but he realised now why the name seemed familiar. He stood up, walking over to the desk so he could pick up the photos and examine them closely. He recognised the guy in the photo now and realised why the name Watkins had rung a bell.

“Your husband was Detective Charles Watkins?”

Janet nodded solemnly before adding. “He was. You attended his funeral. There weren’t many feds at the service.”

“He was a good detective. I only worked with him on one case, but he was a fine cop.”

“Yes, he was, and a great dad.”

As Tony left Janet’s office some time later, he still stood by his impression that it had been the weirdest –assed psychological evaluation ever. He figured it was why the interview had gone so smoothly - he felt comfortable hanging out with cops. Well that, and the fact his involvement in anything traumatic or dangerous during the siege was negligent. Apart from feeling guilty that he hadn’t been there to have Gibbs’ six, and prevent him getting shot. Well that, and he was obviously concerned about the probie, Ducky, and Gerald and how they were coping with what happened. Ducky and Gerald hadn’t signed up to be taken hostage, especially when they were inside the NCIS building.

Apart from those factors, which he didn’t think was unreasonable, Tony didn’t need to hide how he was coping or feeling, so he wasn’t worried she’d fail to clear him to go back into the field. For once, he’d managed to stay out of trouble. How bizarre was that?

Tony was glad he didn’t have to hide anything from the doc because as a cop, she knew how a cop thought, plus, she had a bullshit meter that was creepy. He wondered how Gibbs and Cate had got on going up against her, since they had far more involvement with The Body Snatcher. Janet had this no nonsense don’t even bother trying to lie to me mien that was definitely unsettling during a psych eval. He was pretty sure she wouldn’t have just rubber stamped their clearance without being sure they were okay to come back to work. Which was good, because Gibbs was furious that The Body Snatcher had escaped, and Cate was busy denying that she’d been affected by trauma bonding. Tony wasn’t convinced.
Janet had called him out about his denial as unhealthy, citing his staunch defending of Gibbs not following their plan during the siege to distract the terrorist so HRT could move in and apprehend him safely, and not respecting Tony enough to inform him on the balls up.

She suggested it pointed to a monumental shift in the dynamic between him and Gibbs from partners to a ‘Me → Boss and You → can compete with my probie for valuable interactions with me’ dynamic. From a trusted senior field agent, to a DiNozzo-Dumb-Ass who can’t focus. Wow, talk about telling it like you see it, Janet!

Unfortunately, she struck a nerve. Things had changed and not for the better.

The flip side of the doc was she was an awesome poker player. If she’d been his partner, they’d have totally clean up at Friday night poker games!

~o0o~

Tom Morrow smiled as Cynthia Sommers, his personal assistant, showed Dr. Janet Watkins into his office. She had been making it a practise to hand deliver her psych evals for all the NCIS personnel involved in the siege. This enabled her to explain anything ambiguous in her reports and according to her, to answer questions personally and in a timely manner. The psychologist had been working through the field agents, team by team, and finished up with the MCRT – their assessment outcomes were what she was delivering today. Then she only had only Dr. Mallard, Abigail Sciuto, and Gerald Jackson to interview before her contract work was complete.

Sitting down, Morrow asked, as he did each time they met, if she would like something to drink. Today she had decided to have a coffee, as this had definitely been the most complex and challenging team she’d had to evaluate to date, and she was anticipating that the meeting would be prolonged. Cynthia bustled around getting her coffee and a green tea for the director before withdrawing and leaving them alone.

She handed over her reports and allowed him to read them as she drank her coffee and prepared herself to answer his questions. She wondered how her daughter’s history exam was going. She’d helped her study for it last night. Ever since the loss of her father, Jade had suffered from anxiety, which included panic attacks during examinations. While she was learning to deal with her pain and grief, it was tough for her and she was so proud of her eldest, but then firstborns often placed a great deal of pressure on themselves, even without losing their father to cancer.

Looking up, Janet realised that Director Morrow was staring at her. Oops, she must have been away with the pixies for quite some time there.
He smiled politely and asked, “Everything all right, Dr. Watkins?”

“Yes, thank you, Director. I was thinking about my daughter and her exam today. Are we good to go?”

He nodded and waited as she consulted her own notes. Although she provided reports, including her recommendations, Morrow still liked her to give a verbal report. “So, let’s start with the least complex interview first – Special Agent Anthony DiNozzo…”

She looked up to find the director chuckling. “I’m sorry, but DiNozzo has been called a lot of things by psychologists in the past, but simple wasn’t one of them. Are you sure you interviewed the right person?”

Janet laughed. “I probably didn’t word that correctly. I didn’t mean to imply that Special Agent DiNozzo was lacking in complexity, far from it. But his interview was quite straightforward, not unlike many of the other agents who were part of the siege. Honestly, aside from his rather disturbing guilt over Gibbs being shot and his concern about his workmates taken hostage in Autopsy, he’s fine to return to work. He’s angry about the siege, obviously. I’d be concerned if he or any other agent wasn’t or pretended not to be – but that’s perfectly normal. I also think he’s fine to work on hunting him down without going off on a vendetta.”

“Wow… you’re good,” Tom praised her. “I’ve had psychologists tearing their hair out after a DiNozzo psych assessment, or crying their eyes out, and even had to fire one when she started dating him. What did you do to him?”

“We played poker,” she told him with a straight face as he started laughing. “No, really. I noticed when I was a cop that a lot of crap got aired out over a few hands of poker and a beer or few. It was a kind of informal method of debriefing cases.

“Obviously, I can’t provide the beer, but for a cop or former cop, the poker can help build rapport. And help create an atmosphere that feels safe and familiar for them. Plus, with the right brain rational side kept busy, it’s easier to gain access to the left brain emotional side which many people are uncomfortable dealing with.”

“And Agent DiNozzo opened up?”
“Not exactly, but it distracted him enough to get him to sit down and stop looking for two-way mirrors and cameras.”

“He told you that?”

“No, not verbally, but indirectly, yeah. Plus, it’s what I’d do in his shoes. Cops and feds understand that during a psych eval, we’re working for the agency or police department, so they don’t trust us and are careful about what they say. Therefore, we need to develop methods to get traumatised or injured cops and agents to open up.”

She opened her handbag and removed a gift voucher for ten free coffees from Starbucks, standing and walking over to lay the card down on the director’s desk. He gave her a questioning look and she smiled ruefully. “You won the bet.”

“Told you. Which ones?”

“Tony figured it out. Todd had checked me out with her contacts, found out I specialised in treating feds and cops, but didn’t make the connection. Think it’s because she has the typical fed attitude to cops, particularly unies. Doesn’t think that a patrol cop would be smart enough to become a psychologist.”

“And Gibbs? He didn’t notice?”

“He’s too angry, Director. And obsessed with The Body Snatcher.”

“Who?”

“Oh, um, that’s DiNozzo’s rather irreverent moniker for the terrorist. He seems rather prone to nicknames but then humour is a healthy way of dealing with stress and trauma, within limits.”

“Hmm, sounds about right. Damn, I was sure Gibbs would figure out you were an ex-police officer with his gut. You just scream cop.”

“Funny, that’s pretty much what DiNozzo said too. Guess I need to work on that some more. As for
Gibbs, maybe when he’s on his game his famous ‘gut’ would have picked it up, but he’s definitely not firing on all cylinders following the siege,” Janet stated cautiously. “Think it might be dyspeptic.”

“That’s why you haven’t cleared him to return to active duty?”

“Part of the reason. Gibbs is fixated on getting even with the…”

“Body Snatcher?” Morrow supplied, a small smile playing around the corners of his mouth.

“Yeah, fine… he’s desperate to get even with The Body Snatcher. He seems obsessed with catching him, and I don’t think he means in the ‘why don’t we all pool our resources and work together’ sort of a way either. I think he wants to go off all lone-wolf and hunt him down and kill him himself. The truth is that there seems to have developed some sort of unhealthy relationship between Gibbs and The Body Snatcher. The terrorist managed to insult Gibbs’ quite considerable ego, which was why he told him that the CDC had the nasal spray.

“That taunt where Gibbs goaded him for failing to achieve the objective of his mission could easily have pushed him over the edge into seeking retribution when executing his exit strategy. Especially the highly provocative method Gibbs chose to use because he felt challenged and then he reacted, in my opinion, precipitously, playing right into The Body Snatcher’s hands.

“And worryingly, he also went into the siege without a tac vest - in direct contravention to procedures, and without a valid reason to do so. Plus, as you know, it isn’t the first time he’s done so either. He was unapologetic about it (hardly surprising given his rule about apologies), but refused to acknowledge that he has a duty of care for not only himself but his agents. That he needs to set a proper example by adhering to safety protocols - like everyone else.”

“Gibbs has always refused to follow any rules which aren’t his,” Morrow stated reprovingly. “Unfortunately, his friends in high places have made it difficult to make him follow the same rules that other agents have to observe.”

“Well, that has worked so well lately,” the psychologist observed caustically. “In my professional opinion, his judgement is highly flawed and there seems to be a score of poor decisions being made lately. I’m not prepared to clear him until I have an opportunity to investigate why on just about every case he’s worked recently, he’s demonstrated poor decision making ability. Why he seems to have no insight into what is going on – why he’s exhibiting poor team management skills when he’s a highly trained non-commissioned officer of the Marine Corps. I’m going to order that he submit to a full physical assessment at Bethesda for starters.”
Watkins looked at the director, who had an unreadable expression on his face, although his body language screamed tension. “Is there any specific event or trauma, perhaps an injury that you can pinpoint, which might have precipitated this slew of disastrous outcomes? It seems to have gone to hell in a handbasket since he hired his current probie.”

“Are you saying that she’s responsible?” Tom inquired casually, his body language telling Janet that this wasn’t a new concept.

“No, not necessarily. I’m saying that his decision to hire her also shows poor decision making skills. She was breaking fraternization rules with Major Kerry, who was a Marine – I’d have expected Gibbs to have been much more judgemental. To view it as a much more serious offense because he’s so very protective of his beloved Corps. She also failed to identify a terrorist despite being a profiler and the POTUS was in imminent danger. Most team leaders, in my experience, wouldn’t have wanted her anywhere near their team. So, I’m looking for incidents or injuries prior to that case to explain why he offered her a job,” Janet explained.

Tom had been thinking and volunteered, “Off the top of my head, there was a concussive episode…but that happened months before he hired Todd.”

“That was the one when he demanded that Vivian Blackadder be terminated? That seemed to be an over-reaction, don’t you think, if you compare it to how laissez faire he is when it comes to Todd’s mistakes. I’ll be interested to see if his physical might reveal an acquired brain injury caused by the grenade which was missed. Do you remember if he was properly checked out after the concussion?”

“Honestly, I couldn’t say for sure, but knowing him, he probably let Ducky check him out, under sufferance,” Tom admitted ruefully.

“Even if his medical exam fails to find anything explaining the rash of out of character errors of judgement, my recommendation will be that he present himself for a full psych assessment including a series of counselling sessions. When…if he’s cleared for active duty, I won’t be recommending that he be permitted to supervise other agents unless there is a radical change in attitude and thinking processes. His current attitude - that he isn’t required to observe safety protocols and agency regulations – quite frankly, Director, it’s an accident waiting to happen. He’s just been extremely lucky so far that someone on his team hasn’t been killed or permanently disabled due to his flawed decisions and outrageous behaviour.”

“And you’ll be recommending that he not participate in the hunt for our Body Snatcher? After you’ve cleared him to return to active duty, obviously,” Morrow double checked her meaning.
“Definitely not. There’s an unhealthy dynamic between them, with the perp having the upper hand. I’m not convinced that Gibbs was the best candidate to go up against The Body Snatcher in the siege either, considering the way he played Jethro. He’s either a very skilled profiler or you have a mole in your midst feeding him intel on Jethro.”

Tom sighed. “Right, well, let’s organise the medical at Bethesda first and take it from there. Be prepared to face pressure from Gibbs’ cheer squad,” he warned her. “They have sizable influence.”

“Thanks for the heads up, but that won’t be a problem,” she vowed, a determined gleam in her brown eyes. Janet was going to document the evaluation process and her recommendations to make sure if TPTB decide to override or ignore her, it would mean political or professional suicide the next time Gibbs stuffed up. And based on his previous performances… he would definitely stuff up!

“Keep me in the loop about Gibbs, and speaking of profilers, perhaps we should move onto Probationary Agent Caitlyn Todd’s evaluation,” Director Morrow suggested. “I see that you haven’t cleared her for field duties either. Why?”

“I’m concerned that she, like Gibbs, tried to conceal information about The Body Snatcher and her actions, which could be invaluable in building a profile on him. She was presented with the opportunity to attack him and hesitated. It isn’t unusual for inexperienced agents to freeze in a high-pressure setting such as a hostage situation, even with her hand-to-hand training. What is unusual is for a profiler to hesitate because the perp had kind eyes. Especially AFTER witnessing first hand said perp putting a 9mm hollow point slug into a victim’s shoulder joint and watching him nearly bleed out.”

“You’re joking!” Morrow exclaimed angrily.

“I kid you not, Director. She admitted to it, albeit reluctantly and only because Dr. Mallard had alluded to it in his statement. Moreover, according to DiNozzo, who’s quite concerned about the probie, the good doctor also mentioned to him while giving his statement that The Body Snatcher was acting rather seductively towards her. If that’s true, then perhaps Gibbs wasn’t the only one he managed to manipulate.”

“That’s some skill. And I concur – that’s data that would be important to have in creating a profile.” Morrow looked troubled. “So, your recommendations for Todd?”

“I want her to undertake counselling sessions. She seems to think that she doesn’t need to follow
protocol and procedures – because Gibbs doesn’t do it. He follows his gut and his own rules and gets away with it. Plus, I’ve verified that she didn’t ever receive a psychological evaluation or counselling for what happened aboard Air Force One, because she resigned immediately afterwards. That needs to be rectified.

“I’ve also recommended that she should attend FLETC to complete relevant investigative courses and do some practical profile training with the FBI. I’m concerned with her stats as a profiler, quite frankly. And finally, if she fulfils these requirements, I recommend she be reassigned to a new team that doesn’t handle the major high profile crimes so she can gain experience in applying profiling theory to real-life crime and investigation that are less high profile and critical. I’d also strongly advise that she be assigned a mentor/supervisor to oversee her profiling work until she learns to disassociate herself from victims and perps.”

Tom steepled his index fingers on his clasped hands, touching his nose as he thought about Dr. Watkins’ recommendations. Sighing, he picked up her report and flicked through it swiftly. “And that’s all in here, along with your rationale?” he asked her.

“Yes, Director. I’ve outlined it all in my reports on the members of the MCRT. Plus, I’ve prepared a report that contains all the information which Gibbs and Todd omitted from their reports that I feel might be pertinent to building a profile of the terrorist.” Watkins reported to the NCIS director.

Looking at her watch, she knew that she needed to leave shortly so she could pick up her son, Chris, from middle school – he had an appointment at the orthodontist. “Feel free to call me if you have further questions. I guess I’ll be seeing you after I complete my interviews with Drs. Mallard and Sciuto. It may be a while before I can interview Mr. Jackson, though – he’s still at Bethesda.

Janet stood up and the director escorted her out of his office, thanking her for her time. She smiled at Cynthia, informing her she’d be in touch soon to schedule the next meeting with the director. She made her way along the walkway toward the staircase leading down to the bullpen that usually housed the MCRT. Tony DiNozzo was at his desk, working on cold cases, but the other desks were empty.

He glanced up at her and smiled as she descended the stairs. It was a cautious, professional smile and she walked over to his desk, dropping off a copy of his clearance to return to field duties. She watched, amused when his smile swallowed his face as he perused the piece of paper enabling him to go out on active investigations again.

“Thanks, Janet.” He hesitated a beat, his mien turning serious. “Gibbs and Cate? Have they been cleared too?” he asked diffidently.
“Not yet,” she deflected.

“Right… well… guess I’ll just make myself useful in the meantime,” Tony responded cheerily.

Janet changed the subject smoothly, lest he ask her awkward questions about the timing of his workmates’ return to active status. Looking around at the squad room, she quipped, “Love what you’ve done with the place!”

“Yeah, it’s great, isn’t it? I’m thinking of painting my apartment pumpkin too,” he bantered back, chuckling.

“Nice. Well, I gotta go. Just wanted to say that if you ever need to talk, ex-cop to ex-cop, just drop by the house and we’ll play a few hands.”

He grinned at her. “Sounds good, Doc, I’ll bring the beer,” he promised. “And if your rugrats need a guy to shoot hoops with or throw a football to, call me,” he offered, generously.

They exchanged business cards, although each probably had the wherewithal to obtain each other’s private phone number, and she said her goodbyes, and departed the bullpen. As the elevator door closed on the detestable orange that reminded her of over ripe cantaloupes, she heard someone yell out, “So, DiNozzo, you seduce another shrink?”

Chuckling, Janet knew that Tony wasn’t interested in her like that, but that the thin blue line meant that if she or her kids needed help, she only need ask. Blue was definitely her favourite colour in the spectrum. Ever since Charlie’s death, cops had stopped by the house to change the washers in her faucets, clean out the gutters, clean and paint the eaves, plus a myriad of other minor jobs and repairs that her husband used to take care of. She didn’t know what she’d do without the kindness of her cop family.

She wondered if Tony would take Jade to the Father-Daughter Dance later on in the year. According to his file, while he was at Peoria PD, he’d chaperoned teens at dances held by the Y.

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Tom Morrow studied Dr. Watkins report. Her findings, conclusions, and recommendations were dynamite. She’d questioned if Gibbs should be leading the MCRT – or any team, based upon his
recent performances. She’d conjectured that perhaps he was best suited to being a consultant rather than an agent; that if he wasn’t prepared to follow the agency rules, he had no business training or supervising others.

He realised there was a clue there about why she was confident that her refusal to clear Gibbs and Todd for active duty wouldn’t be over ruled. She didn’t work for NCIS so she was far more autonomous and able to remain impartial.

Truth to tell, Gibbs was going to go ballistic – he’d already tried to join the hunt for The Body Snatcher and Tom had been forced to have security remove him and had ordered IT to lock him out of the network, although it highly unlikely he’d bother to switch his computer on. He’d also had to counsel a young agent with computer skills at the Norfolk Field Office that he was not to comply with any unauthorised requests from agents, i.e. SSA Gibbs. IA was also closely monitoring Dr. Sciuto’s online activities. With his access severely curtailed, hopefully Gibbs would cooperate with Dr. Watkins and focus on the physical at Bethesda.

If there was a medical issue with him, that was a massive fail for the systems that were in place to pick it up, but then again, Gibbs having SecNav, et al, in his back pocket certainly didn’t leave Tom with a lot of room to manoeuvre. He checked Jethro’s jacket and, as he expected, he’d refused all but the most cursory of medical checks with Ducky following Hussan Mohammed blowing Gibbs up with a grenade at Rota. That meant that he hadn’t had a brain scan, as he knew Autopsy only had basic x-ray equipment.

Looking back at the cases he’d worked on for the same period of time, one year prior, Morrow could see that there was a dramatic change in Gibbs’ management style and rate of incidents and injuries. He, like everyone, had assumed the changes were because Gibbs was sweet on or wanted to sleep with Caitlyn Todd, but perhaps Dr. Watkins was right. Maybe there was something wrong with Gibbs.

As for Agent Todd, he thought that Dr. Watkin’s recommendations were sound. She hadn’t completed any investigative training at the Secret Service because she hadn’t worked for the financial crimes division, so her going back to FLETC to learn investigative methodologies was sound. As to her obtaining further profiler training, given that she hadn’t managed to nail any of her profiles since she joined the team, it definitely had merit. He’d been frustrated with her performances, as that was one of the factors Gibbs had used to justify her joining what was supposed to be the premier investigative team in the DC office.

Assigning her to another team to gain investigative experience made sense. Especially working with a team leader who would set her a good example because, let’s face it, she was already adept at ignoring rules; fraternization anyone? He wondered who he should assign her to. Chris Pacci was good with probies – he was a patient teacher. Balboa was another possibility, but he didn’t have a spot free on his team so he’d have to move someone off it. Marsha Radcliffe was a possibility – she
might persuade her to tone down her gender inequality shtick… okay, maybe a few degrees.

As to a mentor/supervisor, perhaps he could hire David Rossi to supervise her profiling. He was a former FBI profiler who’d helped set up the BAU unit with Jason Gideon and now he was a renowned author and speaker, writing books and lecturing on forensic psychology and profiling.

Plus, what to do about the MCRT. As of right now, he only had one member cleared for active duty. Perhaps if he assigned an experienced investigator TAD, they could function for a month or two with just two agents. DiNozzo had worked with just Gibbs for almost a year at various times and, as a cop, he was used to having just one partner, not a team. Maybe he could assign Cassie Yates TAD; she’d wanted to work undercover and she could learn a lot from working with DiNozzo – he was the best undercover agent the agency had. The other alphabets were always wanting to borrow him.

And hopefully in a few weeks, he would have a clearer picture of what was going on with Gibbs. They could go from there.
The Truth is Out There: Obligations

Chapter Summary

The team investigates the death of Petty Officer Gordon, found in a nightclub ceiling after a night out with four of his buddies. Investigation by the MCRT uncover the fact that the nightclub is in fact owned by Darin Spotnitz, a high school student.

Chapter Notes

Thanks to people who left kudos or comments, I always appreciate your support and there were many thoughtful and insightful ones so thank you for sharing. To KajsaLena, an honourable mention for your comment, it gave me a much needed laugh.

So, before people start telling me I’ve got my facts wrong, let me give you all a heads up that this tag is AU. In canon, the nightclub is in Alexandria, which one has to assume refers to Alexandria, Virginia. For my story to work, I need the murder of PO Gordon to take place in Maryland, for reasons which will become clear as the story progresses. So, in my story, the death takes place in Allexandria, Maryland – a small town and yes that spelling with the double L is deliberate, so don’t tell me that I’ve spelled it wrong. It’s my fictitious town, my story, so I’ll spell it how I like! ;-) And finally, for anyone who thinks I’m being unnecessarily harsh, well since there are absolutely no consequences in canon, this series of tags is about balancing up the scales and I’m not sorry one bit. Hope you like it.

Credit where credit is due: As usual, my good buddy Arress slaved her fingers to the bone, working her Beta magic on this tag and also contributed the title. A woman of many talents! To DaughteroftheSilverMoon who provided all the legal data for mandated reporters in the state of Maryland my deep gratitude for helping me flesh out this tag.

Series: There’s Always Tom Morrow

Episode: The Truth Is Out There

Title: Obligations

Cast: Tony DiNozzo, Leroy Jethro Gibbs, Tom Morrow, Caitlin Todd, Chris Pacci, Michelle Lee, Joe Landers (ROC)

See the end of the chapter for more notes

18 March 2004
The case had been cracked. Petty Office Wong was charged with premeditated murder and his three dumb stooges, Petty Officers Carter, Morgan, and Bowman, were facing a bunch of less serious charges, including moving a body, concealing a crime, lying to federal agents, leaving the scene of an accident resulting in a fatality and impeding a federal investigation. It’s a damned pity they couldn’t be charged for being total idiots too.

So, the confessions were extracted, the reports had been written, proof read, and signed off, and they were looking at heading home tonight at a civilised hour unless they caught a new case. After several days when they had crawled home in the early hours of the morning to snatch a few hours sleep, a shower, and change of clothes, Tony was looking forward to retreating to his sanctuary, after he’d attended to one last but extremely important factor to do with their case.

Hopefully, they’d get lucky and there’d be no new cases tonight because they desperately needed the down time. It had been a torrid couple of weeks, especially for Gibbs, Cate, and Ducky, who were still dealing with the aftermath of the terrorist siege. Gerald Jackson, Ducky’s assistant, would be off work for months after the yet to be identified terrorist shot him in the shoulder joint, an injury that very nearly cost him his left arm. He could have easily bled out if Ducky hadn’t been quick thinking enough to clamp his artery – luckily, he hadn’t always worked on dead people. Still, everyone was still dealing with the fallout of having their HQ invaded, especially those who’d been face to face with the terrorist during the siege.

Gibbs was always a harsh task master; now he was pushing everyone to their breaking point, and furlongs past that, in his determination to find the fanatic who’d effectively vanished into thin air. Ducky was pushing Gibbs to find Gerald’s shooter too – as if the boss needed anyone to egg him on. Cate was trying to deal with her decision not to attempt a takedown of the perp with a palmed scalpel because of his kind eyes, who’d subsequently gone on to kill an HRT agent while escaping.

So, while they were all trying to cope, some people, Tony admitted ruefully while looking at his boss, were having more trouble with that than others. He looked at the 4th computer monitor on Gibbs’ desk, continuously running facial recognition software of every known terrorist in the world. When their perp had managed to evade capture, it had hit Gibbs bad, and the hard-ass agent was being even more of a bastard right now than usual. Which was saying something. So, Tony was more than ready to take some time out for some rest and relaxation away… far, far away from Leroy Jethro Gibbs. Unfortunately, while they had mostly tied up all the loose ends of the case, there was still one rather major loose thread that needed to be dealt with.

His boss was currently glaring at his computer monitor as if he believed that by the sheer force of his personality alone, he could force the program to spit out the identity of the terrorist. This guy was rapidly becoming Gibbs’ great white whale and Tony was extremely cautious in his approach to the SSA aka Captain Ahab.

“Ah… Gibbs, what are we going to do about Darin Spotnitz?”
He was careful to remain totally professional as he quizzed his superior, so he didn’t draw a furious tirade from his boss. Tony knew what needed to be done, but he didn’t want to tell Gibbs his business – he knew from experience it would not go down well. Last year when it was just the two of them, it would have been a different kettle of fish, but ever since the ex-Secret Service agent had joined them, the entire tenor of the team had changed. And not for the best – at least not from where he was standing. He felt like now Gibbs was treating him as the probie of the team most of the time.

(Example in point, until Cate joined them, he was Tony… NOW he was DiNozzo.)

“Well, because we have a minor child – a 16-year-old, running around operating what is, to all intents and purposes, a nightclub, illegally. I’m sure he doesn’t have a work permit, nor an exemption to sell alcohol underage because… the place isn’t legal. Do you think the premises are licenced to serve alcohol and have the necessary public liability insurance? I honestly doubt it!

“Not to mention that he is a minor, so he’s being endangered by the exposure to hard core alcohol and recreational drugs, especially party drugs, plus he’s consorting, whether knowingly or not, with drug dealers. You aren’t going to tell me there aren’t illegal drugs being bought and sold there. We both know there is and as he’s a minor, we have an obligation to protect him, even if it’s from his own idiocy. That’s why,” Tony responded reasonably.

“Not his mother, DiNozzo.”

“Well, no… obviously not.” Normally he would have offered a quip about Gibbs’ lack of breasts when presented with such an opportunity, but he didn’t want the boss to stroke out, which was a distinct possibility what with him eating (or not eating) and sleeping (after a fashion) in front of the computer for weeks as he obsessed.

“But we should inform his parents that he’s breaking the law, Boss – not just in the ‘borrowing his father’s car and taking it for a joy ride or sneaking shots from his parents’ wet bar’ breaking-the-law-kind-of-way. This is serious stuff and he’s under age. As mandated reporters, we must notify Child and Family Services, and the Alexandria cops too, if we have information that he’s being abused or neglected,” he maintained unfalteringly, despite the glare of death emanating from Gibbs’ desk.

“Do you want to make the notifications, Boss, or do you want me to do it on your behalf?”
“He’s not a kid, and you’re not his nanny, either. He’s not a Naval or Marine brat, so not our problem since he didn’t contribute to the death of Petty Office Gordon. Not our jurisdiction. The Alexandria PD already know about him.”

Gibbs saw Tony’s stubborn expression and naturally got riled up since he expected instant submission.

“Let it go – if his parents are so crap doing their job they can’t control him, can’t stop him breaking the law, then that’s their problem. They don’t deserve to be parents.

“The case is closed; we have more important things to worry about,” he barked, his gaze reverting to the parade of headshots splashed across the computer screen as he purposely tuned out his SFA to concentrate on the terrorist database.

Caitlin Todd, the MCRT probie of approximately eight months, wandered over to the former cop’s desk so she could throw in her two cents’ worth into the conversation. Except Cate, as their designated psychological profiler, always thought her two cents was worth much more than that.

“What’s the matter, Tony?” she inquired in a deceptively saccharin sweet voice, ever ready to slide the knife in if she caught the merest hint of his soft underbelly.

“Jealous that a high school kid makes more money in a few hours on a Saturday night than you do all week long and probably picks up more girls than you do, so you want to take away his nightclub? You know, if you’d paid more attention in your high school math class rather than playing football and chasing boobs, perhaps you’d have half the entrepreneurial nous of Darin Spotnitz.”

Tony stared at their profiler, wondering what she’d do if he informed her he could be making ten times his current salary as a fed if he’d just be willing to crawl back to his alcoholic father and agreed to work with him instead of doing a job where he was helping people. No doubt with her sterling psych profiling abilities, she’d find Anthony DiNozzo, Senior, way more admirable an individual than his disgusting chauvinist pig of a son if she met him.

Ever since Cate had joined the team, he’d played up his college frat boy jock persona because she was a stitched-up type who definitely took herself a bit too seriously. Yeah, and she managed to irritate him with her holier than thou mien, plus, he couldn’t resist playing with her to see how long it would take their designated profiler to see through the frat boy facade. Sadly, he was still waiting for her to figure out who he really was and frankly disheartened that she always seemed so ready to believe the worst about him. How could she profile criminals properly when she couldn’t even
profile him accurately?

Did she honestly believe that humans, especially criminals, were simple and straightforward? No deceit, or artifice - happy to stand around and bare their souls so they could be analysed and profiled to the nth degree by the likes of Caitlin Todd? Not in the real world that lay beyond her classroom lectures and professors, and if she did believe it, she was in for a rather rude awakening.

“You were pretty damned quick to calculate how much he was earning, Caty,” he taunted right back at her, wishing he could just ignore her mockery, but she’d probably view it as a moral victory and she was already way too insubordinate. He refused to simply roll over and take her shit like a downtrodden yet ever faithful dog.

“I’m going to assume you’re not suggesting that we turn a blind eye to the fact that he isn’t old enough to be in a nightclub, let alone running one. We took an oath to uphold the law,” Tony retorted, rather surprised she hadn’t backed him up on this issue since she tended to have a rather schoolmarmish attitude when it came to anything with a whiff of amorality or rule breaking.

“Yeah… well, we promised him we wouldn’t tell his parents, so he’d tell us what we needed to know. Besides, cops make deals with criminals all the time to look the other way in exchange for information,” she rebutted, snarkily.

Tony stared at her, Seriously? What would an ex-Secret Service agent with the protection division know about plea bargains with slimebags and working with confidential informants? Plus, CIs were snitches sure but most of them were also recidivist petty criminals, not minors in danger who needed to be protected from their own immaturity and stupidity.

“We never said we wouldn’t tell his parents, Cate.” Tony stated.

“It was implicit, DiNozzo. But I guess that higher order level of interpersonal interaction is beyond a skirt chaser like you.

Before he had a chance to respond, Gibbs intervened, coming over to his desk to head slap him forcefully to make his point… vigorously. Oh, joy! And really, how come he was the one singled out for a head slap? Favouritism much?

“Knock it off! If you two don’t have anything better to do than bicker like a couple of snot-nosed kids, then I’ll find something useful for you to do,” Gibbs roared at them, his temper, never great at
the best of times, was now at flash point after getting shot.

“In case you two numb nuts have forgotten, we’re fighting a war. We have a terrorist cell out there that was trying to infect Norfolk with smallpox that would have killed god knows how many people. We have the smallpox thankfully, but who’s to say they don’t have more doses? Todd, did you check with your contact in Interpol like I asked you to?” he demanded furiously.

“They haven’t got back to me yet,” she responded sheepishly.

“Well, find out why,” he ordered her angrily, stalking back to stare at the screen as a procession of mugs shots flashed across the monitor.

Tony sat down and started checking out the nationwide BOLOs on the suspect – he’d already done it twice today, but he figured it wouldn’t hurt to check again. It would keep Gibbs off his back… at least for a while. He was also checking with realtors to see if anyone suspicious had rented or purchased properties that might be utilised as a safe house for the cell.

He didn’t agree with Gibbs over Darin Spotnitz… obviously. While that unie who’d taken down the kid’s details MAYBE knew he was underage, since he was still in school, it didn’t mean he’d report it either. He might assume he was eighteen and had an under-age permit to sell alcohol. Chances are he flashed a fake ID at Officer Porter and if he was still wet behind the ears, he might not even realise it. Alexandria PD wasn’t the most cosmopolitan town in Maryland, unlike its big sister city in Virginia. Perhaps why Darin had chosen to hold his “party” there.

Plus, the young unie might simply have assumed that NCIS would deal with it, since Gibbs’ reputation for getting pissed off with anyone interfering with his cases was legendary and people (including LEOs) would rather walk five miles out of their way than get on his bad side. Besides, bottom line, as law enforcement personnel, they were mandated reporters and bound by law to report cases of abuse/neglect and, as much as he respected Gibbs, he respected the law even more.

He decided to talk to Cate later and explain all this to her, but regardless, he was going to observe the law and report his knowledge, irrespective of his teammates. Although he’d do it on his own time, not Gibbs’.

For the rest of the day, Gibbs had kept them running around like headless chickens, but he did get five minutes to himself so he could run Spotnitz’ details. He’d discovered the kid wasn’t even 16 years old as he’d finally claimed during their interview. Darin was still 15, which only strengthened Tony’s resolve to make sure that his little business venture was closed down before it got him into real trouble. Should have known better – after all it was Rule # 8, never take anything for granted.
When he was working vice, the runaways and sex workers (both girls and boys) always lied about their ages, claiming to be older than they were.

Later that afternoon, Director Morrow wandered through the bullpen, stopping in front of Gibbs’ desk observing the silver-haired agent, who looked to be in a trance. Frowning at Gibbs’ sallow form and checking his watch, he glanced across at DiNozzo, taking in his exhausted presence and Cate who was struggling just to stay awake. Shaking his head, he addressed the senior field agent. “Reports on the Gordon murder case all put to bed, DiNozzo?”

Tony looked up and nodded. “Yes, Sir. I sent them all to your inbox and a hard copy to Cynthia.”

“Good job, everyone. Go home and get some rest.” He glared over at the team leader, “That includes you too, Gibbs. You’ve spent every night here ever since getting shot and I want you to spend the night at home in your bed. If you aren’t all out of here in 30 minutes, I’ll have Security throw you out.”

“I have to find that dirtbag, Director,” Gibb objected angrily.

“Yes, I know, Gibbs. Don’t forget, he invaded MY building, MY agency, hurt MY people. And I want everyone to go home and sleep so they can come back tomorrow at 0800, fully refreshed to track down who the hell Bugalugs over there really is,” he indicated Gibbs’ monitor that had a picture of Qassam’s body snatcher terrorist colleague. “I mean it, Gibbs; that’s an order. I want your team out of here in the next 30 minutes… or else!

Tony nodded in approval at the director’s decision to step in and give Gibbs a kick up the ass. It was freaking creepy how Gibbs would sit staring at his bete noire night after night – although he was probably fantasizing about how he’d kill him, if… when he found him again. The ex-Marine definitely needed to get some proper sleep… for all their sakes. Unfortunately, the order to go home also put a kink in his own plans, but he’d find a way to work around it. He was good at following orders but still doing what needed to be done – after all Rule #18 could always be invoked if need be.

Ten minutes later, he was entering the elevator along with Cate and Mr. Grumpy Pants. Oh, he understood why Gibbs was so pissed, but the problem was that while this time he was chasing his Moby Dick, the boss got obsessed about cases on a fairly regular basis. Tony was kinda over it, to be honest. Still, Gibbs was not a happy camper after being chucked out of the office, so sharing the elevator with him was way awkward. He and Cate both bolted as soon at the doors opened and ran for their cars.
With regards to Cate, he’d tried to explain the role of mandatory reporters to the probie, who didn’t seem to think she was one, when they ducked into the break room to grab a cup of caffeinated dishwater to keep them from falling asleep earlier on. It was times like these that he thought back to Chief Petty Office Reyes aboard the USS Enterprise and how he kept his flight deck crew hyper alert (amped up) on speed. Gibbs had been scathing about his abuse of trust and how far he’d pushed his crew, but the boss didn’t seem to realise that he made similarly unreasonable demands on his own people… just without handing out the amphetamines.

Anyway, Cate had been her usual lovable patronising self – telling him to stop telling her what to do. She told him she had been a federal agent a lot longer than he had. Cursing Gibbs for telling her on their second case (the death of Cdr. Farrell) that Tony didn’t get to tell her what to do despite him being senior field agent, Gibbs stormed in at that point, demanding to know why they were standing around doing nothing. *Breathing obviously didn’t count!* Unsurprisingly, his conversational gambit brought their conversation to a premature end. Still, he’d tried, but Cate didn’t think he had anything to teach her!

Once back home at his apartment, Tony fixed a quick meal of soup and toasted sandwiches. Then he jumped into the shower, letting the hot water work away all the cricks and knotted muscles gained from sleeping in his office chair on too many nights recently. Setting his alarm, he collapsed straight into bed and exhausted, warm, and with some decent (not takeout) food in his belly, fell asleep.

His alarm stirred him out of a dreamless slumber at 0230 and he rose groggily, dressed in jeans, t-shirt and a hoodie to ward off the early morning chill. He slipped on his runners and made his way back to the office, appreciating the lack of traffic on the road. He hoped to sneak back into NCIS without fanfare. With a bit of luck, Tom Morrow’s edict to Security to keep Gibbs out of the building for the night didn’t also include the rest of their team.

However, just in case, he picked up some coffees and pastries from one of Gibbs’ go-to 24-hour coffee joints. Breezing through reception, Security Officer Nikos Alexandrou, second generation Greek-American, shook his head as Tony handed him his booty on his way in.

“Didn’t Morrow send you guys home to get some sleep? Thought you weren’t supposed to be here ‘til business hours, Tony.” *Busted!*

“True, Nikos. And like the very obedient agent that I am, I went home and straight to bed. I’ve had more than six hours of wonderful sleep, but I woke up from a horrible, horrible nightmare. I dreamt that I forgot, because of the case we worked on, that Gibbs asked me to do something for him. That’s when I realised it wasn’t a nightmare – that it was true!

“He wanted me to check with my contacts about the dirtbag who shot Gerald – you know how driven he is over finding him.” He understated Gibbs’ attitude deliberately, knowing that everyone in the building was aware of his current obsession to track down the perp who got past their security systems. “I’m toast if I don’t get it done before he gets in.”

“Yeah, I hear what you’re saying, Man. Freaky the way he stares at that photo!” the security guard admitted dolefully.

“And if he weren’t obsessed already, our good Dr. Mallard has gone all Mama Bear on him,
demanding he find the monster who hurt Jackson. The bastard did make a real mess of Gerald’s shoulder – he’s facing months of rehab, poor guy.”

Nikos shook his head, sadly. “Gerald’s a good guy; he doesn’t deserve that. Will he come back, d’ya think?”

“Who knows – not like he signed up to have someone trying to kill him, not like we did,” Tony said, shrugging.

“Anyway, when I realised that I forgot to run that errand… I figured I just sneak back here and get the job done in the best interest of the whole building before Gibbs finds out I forgot. I’ll only be here 30 minutes, max. Scout’s honour,” he swore.

Nikos regarded him for a moment. “Didn’t know you were a scout, Tony.”

“Well… strictly speaking, I was a cub scout, and only for three weeks. Got tossed out on my ass for flirting with Akala, our very hot cub mistress. Sucker for a woman in uniform,” he joked as Nikos chuckled.

“Nothing much has changed – eh Very Special Agent? Fine, go on. But only 30 minutes, no more. If you’re late, I’ll send Larry up to escort ya out and fair warning, his haemorrhoids are acting up,” he threatened, referring to his grumpy partner.

“Thanks, Nikos, I thank you and though they’ll never know it, the whole building thanks you too.” Tony took off into the elevator, keen to avoid Larry at all costs. Thinking about his former cub-mistress, Tony shook his head wryly. Technically speaking, it was the truth; he’d been tossed out for flirting, but it had been Anthony Senior who couldn’t keep his hands to himself. Nowadays, it would be called for what it was, sexual harassment, but back then, especially when undertaken by a wealthy, charming Long Island businessman looking to offload his shy motherless son for a few hours, it was referred to as flirting.

Not that it would be the last time his father took a shine to females in his son’s life. Senior missed Tony’s high school graduation ceremony because the lecherous jerk couldn’t stuff his libido (or his dick) down for five seconds. He’d hooked-up with the school nurse, and people wondered why Tony didn’t have contact with his father – apart from the prick disowning him for a second time when he entered the Police Academy. The con-artist would probably try to cop a feel of his work mates and Cate would deck him.
On second thought, knowing just how clueless the profiler could be about people, she’d probably find dear old Dad charmingly suave and end up becoming Tony next step-mother. Shuddering at that incredibly scary thought, he sprinted to his desk and switched on his computer and started typing furiously – his one fingered efforts forgotten in his desire to get this report done and dusted.

Okay, so while speed typing didn’t gel with his dumb jock persona, there was no one around to impress with his awesome mediocrity so he used both hands. Mind at this point he could probably type 150 words per minute, while reciting the periodic table backwards, and it wouldn’t affect the attitude of his teammates one iota.

Barely 28 minutes later, he was back in the elevator and on his way down to report to Nikos in Security. With any luck, the security guard would keep Tony’s secret, although worse comes to the worst, even if Gibbs fired him for disobeying his orders, Tom Morrow would understand why he’d violated them. Maybe find him a spot on another team. At the very least, he’d write him a glowing reference.

Still, even if it cost him his job, it was the right thing to do. He’d never forgive himself if something happened to Darin and he could have prevented it. Aside from which, while he tried to follow Gibbs’ rules, federal and/or state laws would always trump Gibbs’, hands down.

Driving home, Tony speculated on why Gibbs was so disinterested in Darin Spotnitz. Gibbs was usually ultra-concerned and protective of kids. Maybe he was too old, or he wasn’t endearing enough. Perhaps if he’d been an attractive teenage girl he might have felt differently, but because Darin was a precocious, snotty-nosed, ambitious little brat, he rubbed the boss up the wrong way.

Not that it mattered because at the end of the day, cops, even Navy cops, didn’t get to pick and choose who they saved. The law was supposed to be meted out without fear or favour (which was why Justice was depicted as blind) and while Darin might not have been the most likeable 15-year-old boy, he was still a kid who needed protecting from his own not fully formed teenager’s dumb assed brain. It was why they didn’t let 15-year-olds vote, drive a car, have sex, join the military, or drink alcohol.

~o0o~

28th April 2004 (six weeks later)

Tom Morrow stared at the head of the Legal Department, Joe Landers, in a disbelief. “They what? Do they have a leg to stand on if they follow up on their threat to sue?”
Joe, who’d recently become a proud father to baby, Jefferson Alan Landers, was looking a bit rugged. Clearly, four-hourly feedings weren’t all they were cracked up to be – that and the fact his son was a very colicky baby. Looking serious, he nodded. “They do have a strong case and even if they don’t win, it will be incredibly damaging to our reputation, Director.”

Michelle Lee, one of the young up and coming legal officers in Joe’s department, who’d accompanied her boss for the meeting, spoke up. “It will definitely generate a lot of bad press. The media will eat this up for breakfast.”

Tom rolled his eyes, imagining the headlines and the reporters shoving microphones right in his face - giving his directorial protection detail stomach ulcers. Damn it, Gibbs would be the death of him one day. Reaching for his intercom he instructed his PA, “Cynthia, tell Gibbs that I want the MCRT up here, ASAP.”

“Understood, Director. While I’ve got you, Sir, I’m just opening your mail and there’s a letter here that I think pertains to your meeting. Do you want to read it now?” Cynthia asked.

Groaning, because he was half expecting it to be another missive from the Spotnitz’s lawyer, he flicked the intercom button and replied, “Thanks, Cynthia – I’d better read it.”

Momentarily, his PA appeared with the correspondence, handing it to her boss. “The MCRT are down in the lab, but they will be here in five minutes,” she delivered the message with her usual efficiency, flashing a smile at Michelle and Joe, who was yawning.

“How’s that sweet baby Jefferson doing, Joe?” she inquired brightly.

“Up half the night with colic,” he admitted ruefully. I never realised how much a little person could cry. I hope he grows out of it – people tell me they do.”

Cynthia who had two of her own, smiled comfortably. “Oh yeah, they do. If you’re lucky you might get a few weeks’ respite between the colic and him cutting his first tooth.”

Joe’s anguished paternal groan occurred almost simultaneously with the directorial one.

Waving the letter, Tom explained, “Following a formal complaint received from the Spotnitz’s to Child and Family Services, they’ve launched an investigation into the failure of NCIS to inform the
relevant authorities that a minor was endangered and a bunch of laws were broken, including liquor licensing laws, and associating with drug dealers.” He passed the letter across his desk to Joe so he could read it too. Landers groaned again, but this time it was purely professional.

Tom tried to ignore Landers – that did not sound good. He decided to move their conference from his desk to the table so there would be enough room to seat everyone. Cynthia busied herself fetching a pitcher of water and clean glasses, which she placed in the middle of the table, and Michelle took it upon herself to pour out three cups of coffee, knowing that once Gibbs arrived, the pot would soon be drunk dry.

Nodding his appreciation at Cynthia and Michelle, Morrow looked over at Joe, who eyed him and frowned. “It’s not good news, Sir. As you already know, federal agents, like cops, are mandated reporters and not reporting a minor at risk has some serious ramifications,” Joe stated bluntly.

Tom blanched. “Such as?”

“Well, for starters, in the state of Maryland, where I believe this premises in Alexandria is located, when they investigated PO Gordon’s death, any mandated reporter failing to report an incident of known or reasonably suspected child abuse or neglect is guilty of a misdemeanor. That is punishable by up to six months in a county jail or by a fine of $1,000, or both…” Joe quoted as Cynthia announced that Gibbs had arrived.

Tom shuddered, rubbing his jaw in frustration. *This was about to get messy!*

Gibbs came striding through the door with Cate Todd trailing in his wake, and he was scowling, not that that was a surprise to anyone. Jethro had been in a filthy mood lately after letting the terrorist get the drop on him and escape from Autopsy after taking three of their personnel hostage.

“This better be important, Tom. I’ve got a double homicide to solve.”

The director’s deep blue eyes narrowed at his rude, belligerent agent as he pulled out his cell phone and speed dialled a number. “Agent Balboa, please be advised that effective immediately, I’m assigning your team the Prendergast double murder for Gibbs’ team. Something else has come up that they need to attend to.” Breaking off his dialogue to stare at Gibbs who was giving him the death ray glare, he demanded, “Where is Agent DiNozzo?”

Todd answered, as Gibbs was too busy glowering at everyone present over the fact that their case
had been reassigned. “He’s meeting with one of his contacts about a lead on the case. He’ll be back soon.”

Nodding, Tom continued his phone conversation. “Agent DiNozzo will brief you on what they have so far when he returns shortly. Meanwhile, Ducky and Dr. Sciuto can give you a sitrep on the state of play. Thanks.”

Having completed the call, he raised an eye at Gibbs. “Now that obstacle has been removed, please take a seat and brief me on the death of PO Gordon in the nightclub six weeks ago. Don’t leave anything out.”

When he finished detailing the case, the two lawyers exchanged enigmatic looks with the director. Tom nodded as Joe Landers raised an eyebrow, indicating he wanted to ask questions.

Joe cleared his throat. “The owner of the club…”

“It was a party,” Gibbs corrected.

“They charged to get in, they served alcohol to those who attended, and money changed hands. Plus, there were regular weekly events held in a commercial premise and had staff hired to run them. I think that pretty much describes a club; however, the point is moot. You knew that alcohol was being served and had good reason to suspect that drugs were being peddled too.”

The senior supervisory agent shrugged. “Wasn’t pertinent to our case.”

“What about the fact that the owner of the club, Darin Spotnitz, was still in high school… that it wasn’t legal for him to be running a club serving alcohol.”

Another shrug. “As I said, it wasn’t pertinent to our case. Plus, it was out of our jurisdiction.”

“So, why didn’t you report him to the relevant authorities? As a mandated reporter, why wouldn’t you inform his parents?”

Rolling his eyes and seemingly controlling his infamous anger by superhuman effort, he growled, “I
had a dead terrorist who wanted to infect Naval Station Norfolk with smallpox, another terrorist who broke into our HQ to retrieve his body and the evidence, and he held three of our people hostage. He shot Gerald, shot and killed a federal agent, shot me, and escaped capture. On top of all that, I had a dead petty officer and his four idiot buddies lying to me. I didn’t have time to worry about some snot-nosed rich kid with a bunch of rich PFD toys.”

Seeing the look of confusion on the director and the legal team’s faces, Cate corrected him, somewhat patronizingly. “He means a PDA.”

Michelle smothered a giggle while Morrow and Landers remained deadpan.

Growling at his agent’s interruption, he continued after giving her the evil eye. “Now… since you’ve reassigned my case,” he scowled at Morrow, who didn’t look the least bit penitent, “I still have a murdering terrorist to catch before he kills who knows how many hundreds or thousands of people.”

He rose and Tom frowned at him. “Not so fast, Jethro. Sit down and answer our questions. Unless you want to dispense with the investigation into your actions and I’ll go straight to suspending you and your team.”

Gibbs dropped back into his seat, clearly one unhappy camper. As Tom knew full well, he hated to be told what to do. Well tough! He’d screwed the pooch and put the whole agency into danger with his stupidly arrogant insistence that he didn’t need to follow anyone’s rules but his own.

Joe picked up his interrogation of the most senior field agent in the DC office. “I find it unbelievable that an NCIS agent would attain your position and not know full well that law enforcement officers are mandatory reporters of child abuse and neglect and that you should have reported it. In fact, Probationary Agent Todd, why didn’t you report it? You’re also a mandated reporter.”

Cate looked shocked. “But Gibbs told Tony, um, Agent DiNozzo not to waste time when he wanted to report it. Said it wasn’t our business – we had more important things to concern ourselves with. That the cops who were initially at the crime scene knew Spotnitz was a minor. And besides, we promised Darin we wouldn’t tell his parents and get him in trouble,” she babbled, essentially hanging Gibbs out to dry in her eagerness not to be blamed for the fiasco.

Joe shot a furious look at Gibbs. “Wow! This just gets worse by the minute. Let’s just focus on Maryland state law right now since the club was across the state lines in Allexandria, shall we? What are their penalties for a mandated reporter who ignores the law, Ms Lee?” he requested.
Landers looked across at his young protégé, Michelle, who’d found the relevant sections on her laptop and obediently began reading out the same section as her boss had earlier. “Any mandated reporter who fails to report an incident of known or reasonably suspected child abuse or neglect is guilty of a misdemeanour punishable by up to six months in a county jail or by a fine of $1,000, or both.”

She looked up at the two newcomers briefly to see their responses, particularly Caitlin Todd, who looked like she’d been run over by a bus. Checking with Landers, he nodded his thanks.

“Just so you know, Probationary Agent Todd, that penalty applies equally to you all if the DA decides to press charges. Not just your supervisor,” Lee explained as Cate looked like she’d swallowed a lemon.

“That’s not fair, how was I supposed to know about mandated reporting?”

Tom answered, “You’ve been a federal agent for over eight years. In joining the MCRT, I assumed you’d take that privilege seriously and avail yourself of your responsibilities. That includes statutory ones too. I’d have thought with how things panned out at the Secret Service, you’d have been damned grateful for being given a second chance and made it your business to know your duties, Probationary Agent.”

“But Gibbs told Tony not to report Spotnitz when he wanted to do it.” Gibbs growled at her for throwing him under the bus, while giving her the stink eye.

Oblivious to him in her panic, she continued digging a six-foot hole. “Why should I face the same penalties as my supervisor when I was following his orders?” Todd practically wailed in alarm. Evidently the outside possibility she might be sentenced to a jail term had obviously shocked her to her core. Maybe she didn’t like jumpsuits… or orange… or orange jumpsuits, Tom wondered irreverently (and irrelevantly.)

Joe smiled grimly. “Well… them’s the breaks, Probationary Agent. Still… if it’s any consolation, if Tony really intended to make a report as a mandated reporter, as you claim, and Gibbs interfered or stopped him doing so, then he would face additional penalties since in the State of Maryland they view that very seriously.”

“And what are those penalties, Ms. Lee?” Director Morrow inquired, honestly not sure if he wanted to know or not.
Michelle tucked her long heavy black tresses behind her ears and began reading aloud. "An individual may not intentionally prevent or interfere with the making of a report of suspected abuse or neglect as required by law. A person who violates this section is guilty of a misdemeanour and, on conviction, is subject to imprisonment not exceeding five years or a fine not exceeding $10,000, or both. For what it’s worth, this is a Maryland statute; in Connecticut, it’s classed as a felony."

Tom Morrow looked shocked as Lee read out the penalty, but also furious. His anger wasn’t improved when his SSA, who had initially looked like he was filling his pants, quickly regained his equilibrium. Great poker face!

“Don’t get your panties in a twist, Cate. Just because Spotnitz’s mommy and daddy lodged a complaint doesn’t mean they’ll bother with more than a slap on the wrist,” Jethro drawled, outwardly nonchalantly. “Not like he’s hurt.”

He probably thought SecNav would handle this shitstorm for him, like he had so many other times, Tom mused, infuriated with his lead agent. No one else could get him going like Jethro could.

Rising, Jethro glared at the director. “Well, since I no longer have a double murder to solve now, I’ll go back to trying to do my job and finding the terrorist cell that poses a REAL threat to who knows how many lives. I can’t believe that you reassigned my case just to discuss this trivial shit, Tom.”

“Sit. Down. Gibbs!” Morrow roared at the unrepentant agent. “If you think I’d hand off a double murder to Balboa’s team because of a minor matter, then I’m sending you for a full psych evaluation cuz you’re completely crazy. This whole FUBAR situation is because you’re too damned obsessed with chasing down the terrorist cell and running everyone else around you into the ground, for you to do your job properly.

“You assumed, wrongly, that the Spotnitzes made a complaint because they found out about Darin’s nightclub. They’re complaining because you knew he was being placed in a highly dangerous environment – an illegal one, since he is only 15 years of age…”

“No, wait a minute… he’s 16,” Cate corrected.

“If you’d bothered to take five minutes to check out what he told you by running his social security number instead of assuming, you’d have discovered he was lying to you about his age. Isn’t it one of your boss’ rules?” Tom demanded.
“News flash, Probationary Agent! People lie about their real ages all the time. Teenagers do it, adults do it. I’ll warrant you’ve lied about your age, told a date you were younger than what you are at least once or twice.”

Seeing the flicker in Todd’s eyes and the pink blush spreading up her cheekbones, Tom knew he’d struck a nerve. “But that’s beside the point. The point is that a 15-year-old was in a place where alcohol was being served and drugs were being dealt. He ended up in the ER last Saturday night with alcoholic poisoning and seizures and was placed in a medically induced coma for 72 hours to stabilise him. In the interim, they determined he’d also taken some hybrid of Ecstasy and a combo of some other party drugs.

Cate looked sick. Gibbs was stoic.

“After the ER doctor, as per mandated reporting laws dictate for all medical personnel, reported Darin as being at risk to the medical superintendent of the hospital, it was immediately reported it to Child and Family Services and the local Police. It was soon discovered that there’d been a violent death take place less than two months ago in Alexandria and that NCIS oversaw the investigation. It was further revealed by Darin’s high school principal, James Devon, that the MCRT visited Darin at school and spoke to him. Suffice to say this IS a big deal.” He scowled at the two agents.

“I wouldn’t be a bit surprised, given the serious nature of his injury, if the Maryland Attorney General opts to charge you and maybe press for jail time,” Landers interposed seriously. “I certainly wouldn’t take this lightly, either of you.”

“Not to mention Darin’s parents will, in all probability sue the agency, and additionally, the individual agents involved, i.e., the major case response team, for child endangerment, plus medical costs for the injuries he received due to their failure to carry out their duties,” Michelle announced as Cate’s jaw dropped and Gibbs looked ready to explode.

“Careful, Gibbs. Don’t shoot the messengers,” Tom warned him, with a nod to the lawyers. “But I’d really like to know why you thought it was a good idea to not report Darin? Is it because he was a snarky pimply faced entitled teen, not a cute tow-headed gap-toothed little kid with a lisp?” Seeing the truculent expression on Jethro’s stern face, the director exploded.

“Damn it, Jethro. If it’s a sweet little girl or a boy, you’d bend over backwards – hell, you’d even finish building them a tree house in your own time, but you turn your back on a teenager in imminent danger. He could have died. Just because Darin isn’t one of our own, doesn't mean he didn't deserve your care too.”
Gibbs, at the reminder of the devotion he showed to other kids during cases he’d worked, at least had the grace to look a little bit chastened. Or else, Tom decided, his breakfast burrito was repeating on him!

Perhaps Jethro was finally realising that his failure to spend a couple of hours performing his duties as a mandated reporter because he was too obsessed with tracking down their terrorist and his cell, was going to make it extremely difficult for him to do just that. Truth was he was going to be far too busy dealing with lawyers, lawsuits, and if Landers was right, defending a misdemeanour charge of intentionally interfering with or preventing the making of a report of suspected child abuse or neglect, as required by law.

*What a mess indeed. Luckily, he was already follicly challenged!*

**Epilogue:**

Chris Pacci had come in to the bullpen early this morning, wanting to prepare for the upcoming interview with his probie. Probationary Agent Todd was returning to the office today after attending various courses at FLETC. She’d been most displeased to be ordered by the director to attend courses in investigative procedures and responsibilities of a field agent. Morrow had essentially told her to talk to the hand.

Chris thought she was acting like an ungrateful brat. If he’d had his way, she’d be out on her ass by now because the veteran NCIS agent thought her excuse that she was obeying orders was a really pathetic one. Particularly since Tony claimed he’d tried to explain to her twice why they needed to report the situation with Darin Spotnitz to the relevant authorities and she’d failed to listen to the more experienced agent and her superior (big surprise there).

Coincidentally, Chris had actually been present during the last bit of their tête-à-tête in the break room when Tony’d tried to talk to her, although he didn’t realise at the time what they were discussing. She’d refused to listen to DiNozzo because Gibbs had told her when she first started, that she didn’t have to. *And hadn’t that come back to bite them all on the ass.*

It was ironic that Tony, by doing his duty as a mandated reporter, ignored Gibbs’ directive that it wasn’t their business to worry about Spotnitz and ended up saving Cate’s bacon. Not just preventing her being charged with a misdemeanour, but also prevented the agency, herself, and Gibbs facing an ugly civil lawsuit for damages from Darin’s parents, who had no idea their 15-year-old son had been running a nightclub.
Apparently, Darin had been a socially awkward kid with few if any friends so when he told his parents that he was staying at friends’ houses and provided alibis – later found to be people Darin paid to lie to his parents for him, they thought he was making friends. Unfortunately, this had been far from the truth. Meanwhile, the idea to run his ‘business’ had its genesis in his high school business studies course, which he’d aced. His teacher had been impressed with his business plan, blissfully ignorant it was not just a theoretical construct, but a bricks and mortar proposition. Dumb kid!

While Tony’s actions hadn’t been enough to stop Gibbs being charged with preventing or interfering with making a report of suspected abuse and neglect, nor getting convicted, it could have been a whole lot worse! For a start – at least Jethro still had his house. If he’d been sued, as his only asset he’d have probably lost it. More importantly, Tony had initially tried to cover Jethro’s ass, claiming that Gibbs had told him to make the report. A good SFA – he was desperate to save his boss’ ass when he realised just how much shit Gibbs was in. *Ever the faithful Saint Bernard*, Pacci concluded wryly.

Unfortunately, or not, depending on your point of view, Caitlin Todd had already spilt the beans that decided Gibbs’ fate. She revealed that he’d ordered them not to bother reporting it; desperate to foist the blame squarely upon her boss and away from herself. Apparently, Gibbs forgot to teach her rule #1. He’d stated that he couldn’t afford to waste time filling in paper work or mess around with bureaucrats from Child and Family Services. Not when Jethro wanted the team to devote all their available time to searching for the terrorist who broke into Autopsy and shot him and Gerald. So, two lawyers and the director knew, plus Todd and DiNozzo, that Gibbs tried to prevent DiNozzo filing a report. There was no way that they could or would cover up Gibbs’ lapse by committing perjury.

While Tony had made reports to Child and Family Services and the police, truthfully he hadn’t exactly followed agency procedure. Normally, the senior supervisory agent, not the SFA would notify the director and then he would make the official reports with the information provided by the team leader. DiNozzo had done the reporting himself because he wasn’t willing to break the law or endanger Darin Spotnitz. Plus, he was trying to protect the agency and Gibbs too, but at the same time trying not to drop Gibbs in it or reveal to his boss, or his boss’ boss (Morrow) that he’d disobeyed his orders. What he’d done wasn’t illegal, but it was unorthodox, and it raised red flags during the investigation. Still, Gibbs was a big boy and as far as Chris saw it, he only had himself to blame – he could have so easily ended up paying damages and also losing his house but for DiNozzo stubbornly doing his job.

If the kid hadn’t been injured by some idiot deliberately spiking his drinks with vodka for a prank, combined with Spotnitz’ stupid decision to try Ecstasy, which very nearly cost him his life, then Gibbs might have gotten away with the slap on the wrist that he’d expected. Maybe!

Alternatively, if DiNozzo wasn’t one very dogged SOB, Darin might have died and Gibbs would have been in a shitload more trouble – ten years worth. When Tony hadn’t received any follow-up on the reports he’d submitted, he found out using his network of contacts that there’d been no action...
taken. Someone with political clout was trying to bury his reports down deep where they wouldn’t see the light of day.

The subsequent investigation into the cover-up revealed that Darin had decided to branch out and sell tickets to his peers; a decision that had come back to bite him on the ass. Several offspring of high profile DC parents had been at the club the night that PO Gordon was killed in the parking lot. Plus, there’d been an accidental overdose by the mayor’s daughter, who was also underage. Since he’d been elected because of his strong family values, including a Zero Tolerance to Drugs platform, Daddy was not happy.

Add in the fact that his daughter was supposed to be following in the footsteps of the past two generations of their family and attending Harvard to study law, he feared the bad publicity could cost her a place at the Ivy League university. So, the slimy bastard had brought pressure to bear on a few key personnel within the Alexandria PD and Child and Family Services who had skeletons in their closets, so that they’d conveniently agreed to ‘lose’ Tony’s reports on Darin.

DiNozzo, after almost six weeks of inaction had confirmed on a rare weekend off – since Gibbs had them working around the clock to ID their terrorist and close their regular cases ASAP - that Spotnitz’s club was still operating. So, frustrated with the lack of response, last Saturday night, he’d made an anonymous 911 call to the Metro PD to report an underage male being attacked inside an unlicensed club which was now operating in DC. He’d figured by going through 911 dispatch, there was no way to prevent an investigation, especially if the dispatcher thought a minor was in imminent physical danger.

What he had no way of knowing was that Darin WAS in physical danger. He had in fact collapsed due to alcohol poisoning and when the Metro PD unies arrived to check out the emergency call, they’d found Spotnitz unconscious and seizing in a dark corner. He was being ignored by the other patrons who were mostly stoned, drunk, or both. The unies immediately summoning paramedics had probably saved his life. Stupid kid!

So, there’d been a lot blowback – what with all the attempted cover-up, and Gibbs had been caught up in the crossfire too. The authorities were proving to be extremely pedantic, and Chris couldn’t blame them for that. And there was the fact that Maryland was one of a handful of US states who imposed penalties against an employer who discharged, suspended, disciplined, or engaged in any action to prevent or prohibit an employee or volunteer from making a report of suspected child maltreatment as required by the reporting laws. And while Gibbs was feeling very hard done by, since Delaware County and Virginia weren’t one of them, he was damned lucky that Maryland was one of the six that only classified it as a misdemeanor. Indeed, several, like Connecticut, categorised it as a felony, although admittedly, Maryland’s penalty was one of the harshest, regardless.

However, with all the controversy, cover-up, and corruption, it was probably inevitable that they were never going to let Gibbs off with a fine – he’d earned a jail sentence of two years, which, all
things considered, was lucky - it could have been ten. The short sentence had mainly been due to his record as a decorated Marine, plus mitigation that he'd been shot in a siege recently, trying to free three hostages, one of which was seriously wounded and was still traumatised by it. His lawyer was appealing the sentence, hoping to get it reduced to a fine or a suspended sentence, since even if he didn’t serve time, his career at NCIS was effectively over and was hoping that the appeals court would view that as sufficient penalty.

Pacci knew that Tony was taking it hard, blaming himself for Gibbs losing his job and ending up in jail, but Chris had no sympathy whatsoever for Gibbs. He should have known better. Frankly, he did know better… but he just didn’t care. It was all about his rules – always. And not doing what everyone else did. As if he was a law unto himself and didn’t have to obey the rules of law, unlike other mere mortals. Pacci wasn’t sure where that entitled attitude came from; after all, if he’d tried to peddle that shit in the Marine Corps, he’d have been partaking a chicken dinner before the phrase *my team, my rules* had the chance to pass his lips.

What Chris did know was that when Jethro got obsessed about a case, he became oblivious to everything around him. He didn’t eat, sleep, or even bother to observe the most basic of social niceties - considering he wasn’t exactly a beacon of light for interpersonal relationships or management to begin with. His long-time colleagues had all seen Jethro get obsessed about cases far too many times to count, even when they didn’t involve terrorists. Pacci had learnt that while Gibbs was a Marine and frequently spouted his Sempre Fi motto - *Always Faithful* - it only seemed to apply if he wasn’t fixated on some dirtbag that had become his current obsession.

The elevator pinged, shaking him out of his reverie and Caitlin Todd came spilling through the doors as they opened into the bullpen. Her eyes expressed momentary surprise as she stowed her stuff… handbag, weapon, badge, and creds away and looked over at Pacci, who was sitting behind Gibbs’ old desk.

Walking over to his desk, she asked, “Where’s Gibbs?”

Surprised that she apparently didn’t know, he replied, “Gibbs was sentenced to two years in jail, Probationary Agent Todd.”

“Jail… no. He said that it was a misdemeanour. They’d let him off with a warning.”

“Considering he could have received ten years, I’d say they did give him a warning. So, I’ll be taking over the MCRT… for the moment,” he informed her.

Looking shocked, she nodded. “And you are?” Her voice trailed off uncertainly.
And didn’t that demonstrate the differences between DiNozzo and Todd so articulately. Tony, within a month of joining NCIS, had made it his business to get to know all the other field agents, janitorial, and evidence and security staff, although over time he made it his business to know pretty much everyone in the building. Cate had been here for approximately eight months already and she didn’t even know his name and he shared the same bullpen as the MCRT, just an office partition away. Seriously, if he was killed in the line of duty tomorrow, she wouldn’t even have who he was, just the guy that lived on the other side of the partition.

“I’m Senior Supervisory Agent Christopher Pacci. I’ve been a federal agent for almost 14 years. So, how did you do at FLETC, Probie?” he enquired, seeing her wince. He wasn’t sure if it was the appellation or the subject of his inquiry.

“I’ve been a federal agent for nearly nine years,” she snapped at him. “I still don’t see why I had to attend the Federal Law Enforcement Training Centre. Why didn’t Tony have to attend too? It’s nothing short of sexual discrimination because I’m a female,” she declared, using her usual catch phrase when she didn’t like something which was occurring.

Chris noted that her tone was teetering on being whiney and undeniably only a few steps shy of insubordinate. It wasn’t any of her business that Tony, as a cop, had been required to attend certain courses at FLETC when he was hired by NCIS, or that he’d also been granted credit for specific subjects he’d already covered at the police academy. He certainly wasn’t about to discuss her immediate superior’s history with the probie. Irritated by her complaints when she was barely through the door, he felt his blood pressure rise.

Right! Chris wasn’t going to take any crap from Caitlin Lindsay Todd. Might as well nip this inappropriate attitude of hers in the bud right away. Standing up, he scowled at her. “Probationary Agent Todd, with me!” He stormed off, grabbing her personnel file and heading for a conference room, checking to make sure she was following in his wake.

Gesturing her to sit down, he sat too and opened her file. He withdrew a sheaf of papers before locking eyes with her for over a minute.

“First off, Probationary Agent, while you don’t know me, I’m fairly familiar with you. I’ll be perfectly honest with you – I’m not impressed. Not with your attitude and not with your performance, which was one reason why you were sent to FLETC to learn investigative methodologies. Plus, to study what your duties entail, such as mandatory reporting. The next time you claim ignorance when you fail to fulfil your duties, you’ll be out on your ass. In fact, I made it contingent upon you remaining on the MCRT that you attend FLETC.”

He watched the probie, who looked like she’d just been run over by a bus, angrily opened her mouth
to reply. So, he shook his head, shaking his finger at her warningly to not speak, just listen. She did, with difficulty – having gotten used to remonstrating DiNozzo and Gibbs whenever she was pissed off. That wasn’t going to happen on his watch; he might be generally a pretty mild-mannered guy… leader, but he would enforce chain of command and insist on respect for superiors.

“I’m not sure why Gibbs didn’t stipulate that you get proper training in crime scene investigation when you first started. Especially considering you’ve only ever worked in the protection branch of the Secret Service and the MCRT is principally an investigative team. Just be grateful that you were given credit for your hand to hand and firearms training. Plus, obviously, you received credit for your protection skills. Do you have your completed assessment forms from your instructors to submit to me?” he finished up sternly.

Cate nodded. “They’re out in my desk.”

“Go get them, please” he responded curtly.

When she returned, he accepted the file and glanced at it briefly, seeing a few comments here and there about her entitled attitude, he decided he’d have to read it later. Putting it in her file, he handed her a bunch of forms from the HR Department for making claims of sexual harassment and sexual discrimination. Taking them from him and perusing them, she looked up, confused.

“The next time a phrase like sexual discrimination, male chauvinism, or sexual harassment comes out of your mouth about a fellow agent, I’ll expect you to robustly defend that allegation by submitting a formal complaint to Human Resources. Otherwise, please expunge them from your lexicon. It will no longer be tolerated as an excuse to get you out of messy or unpleasant probie duties because that in itself would be a form of reverse sexism, and I know you would be appalled at that,” he observed with heavy irony.

Walking over, he dropped another bunch of forms onto the table in front of her. He returned to his seat and sat down as she looked them over, Cate exclaimed angrily.

“Comments, Probie?” he asked, mildly.

“This says that my probationary period has been extended an additional year. That’s not fair! I’ve been a federal agent for nearly nine years. I’m not a probie!”

“Trouble is, you weren’t in the investigative branch of the Secret Service; therefore, you had very
little in the way of transferable skills to justify your hiring as an experienced NCIS agent on the major case response team. And your behaviour and attitude since joining the team haven’t exactly demonstrated that you are an asset. In fact, you’ve been much more of a hindrance.

“Thank Special Agent DiNozzo for you getting one last chance to prove that you can learn to become a boon to the agency and the MCRT, which is our premier investigative unit. There are plenty of other agents here who are much better qualified to work on it and much easier to work with; frankly, I’m not sure you’re worth the effort,” he told her candidly. “I’d have canned your ass!”

“Why does DiNozzo get a say in me having to complete a second year of probation?” Cate demanded argumentatively.

“It’s simple, he was offered the lead of the MCRT, after Gibbs was thrown in jail.”

“Tony? Who would offer him the lead? He’s nothing more than a juvenile frat boy and a cop.” The word ‘cop’ was said with a tone of contempt.

“And therein lies the reason why no one is falling over themselves to work with you now your precious benefactor is cooling his heels in a jail cell, Probie. DiNozzo has run the MCRT exemplarily on several occasions when Gibbs was otherwise occupied with his Marine Reserve duties or other business such as interrogating terrorists. It’s part of his responsibility as the senior field agent. But then again, at those times he had experienced and skilled junior agents who respected the chain of command and followed his orders. Now he has you… so, he refused to accept the promotion because he didn’t believe that you would respect him and follow his orders.

“Director Morrow offered to terminate you. With all your stuff ups, including this last one with Darin Spotnitz, they had plenty of good reasons to get rid of you and, as a probationary agent, it would have been a toddle. It was DiNozzo, who you’ve constantly disrespected by the way,” he reminded her, “who stood up for you and wanted you to be given one more chance.

“Ironic, since he’s already saved you from a lawsuit plus a misdemeanour charge of failing to make a mandatory report. So, his pleading that you be given one more chance is overkill and much, much more than you deserve in my opinion.”

Chris wasn’t exaggerating. He’d spent months observing Caitlin Todd in the bullpen and wasn’t impressed with her overinflated opinion of her abilities and her contempt for her colleagues. It didn’t help curb her overblown ego that Gibbs had let her get away with things he wouldn’t tolerate from any other probie before her. This included giving her (and sometimes allowing her to give herself) assignments she didn’t have the training or experience to carry out. He’d also sent her off to
interview witnesses/suspects without backup - which was stupid and dangerous for a probie, even if she had good hand to hand abilities, nor did he reprimand her when the situation called for it. Plus, he allowed her to constantly disrespect her immediate superiors (even including Gibbs), frequently in the presence of other agents, even from the other alphabets.

Unfortunately, Tony was now hard at work blaming himself for Gibbs getting thrown into jail and he didn’t want Todd getting fired too. When the director had sought his opinion, Pacci supported Tony, not because he thought she was a good asset, but because he didn’t think Tony could deal with the additional level of guilt if she was fired. Which was why the compromise had been born – DiNozzo was a young agent who had massive potential and they didn’t want to lose him. Chris knew the other alphabets would nab him if they could.

Having done an intensive background and security check on DiNozzo when Gibbs wanted to hire him three years ago, he knew that the former cop was prone to feeling guilty about a mess of stuff he wasn’t responsible for, including Caitlin Todd. It was one of the unfortunate legacies of growing up with two alcoholics for parents – children grew up assuming they were the responsible adults in the family dynamic. Shrugging at Cate as he speared her with his SSA scowl, he resumed his senior supervisory agent lecture.

“So, it was decided that you’d be given one last chance to prove you could learn to be an asset and that I would take over the lead of the MCRT for 12 months. After which, DiNozzo would assume the leadership permanently and you would either be granted junior field agent status or be let go, based on your aggregate performance under myself and Gibbs’ leadership while he was team lead.

“Hence the decision to send you to FLETC to get you off to a good start. I’ll be conducting bi-monthly evaluations with you, so you know what you’ll need to work on to ensure you have a place on the team,” Chris said bluntly, since he was convinced that subtlety was lost on Cate.

“Are we clear?” he asked her directly.

She nodded reluctantly. After all, with her record at the Secret Service and NCIS, she didn’t have a lot of options for further work options in law enforcement if she was terminated.

“Good. Okay, so here’s a heads up. I have plenty of experience leading teams and mentoring probies, but I’ve never worked on, let alone led, the MCRT. So, I’ll be relying heavily on SFA DiNozzo’s experience to assist me in getting through the next 12 months.”

Seeing her stubborn and incredulous look, he pressed home his point. “Tell me, Probie, how many sexual assaults, rapes, and rape/homicides have you worked in your eight nearly nine years as a federal agent?”
He was perversely happy to see her discomfort. “Ah, none,” she admitted, albeit grudgingly.

“Yeah, that’s what I thought.” He nodded sagely. “Well, I haven’t had all that much experience in comparison to Tony, only a handful of sex crimes cases and I don’t want to mess up. He on the other hand worked vice for two years. No bonus points for guessing that he saw a lot of sexual assaults, rapes, and murders during that posting and he was a detective on the homicide squad, where he unfortunately saw a fair share of sex crimes, too. He’s also worked cases involving drugs and organised crime, gone undercover to bring down a mafia boss, and had various other postings as a beat and patrol officer and dealt with domestic violence, muggings, robbery, extortion, sieges, kidnappings, and crowd control So, if he gives you an order then you’d better regard it as if it had come out of my mouth. Ignore it at your peril.

~o0o~

As the two agents emerged from the conference room, several agents noticed that the usually mild mannered SSA Christopher Pacci had a very resolute stride and a firm gleam in his eyes. On the other hand, Probationary Agent Todd looked shattered, her usual brash, self-assured demeanour absent as she made her way as unobtrusively as possible to her desk and sat down.

It seemed as if there were some pretty dramatic changes on the horizon for the major case response team and perhaps not everyone was happy about it.

Chapter End Notes

End Notes:

In Dead Man Walking s01e19 Cate doesn’t know Pacci. She makes some vague comment about him sitting in the desk behind the partition, but clearly didn’t know him by name.

Rationale for my giving Caitlin Todd nine years as a special agent = eight months at NCIS + eight years at USSS. This would be a conservative estimate since US Secret Service special agents usually have three phases to their career. Phase I – approx. 6-8 years on the job assigned to a field office. Phase II – approx. 4-7 years serving on protection details. Phase III - many agents return to the field, transfer to a headquarters
office, a training office, or other Washington, D.C.-based assignment for the remainder of their career. Obviously, promotions affect the typical career path and in theory, Cate must have received early promotion but still must have been on phase II for several years at the very least to be the senior agent in charge of the POTUS’ protection detail as was depicted during s01e01 Yankee White. Whatever way you look at it, it seems highly unlikely that she would have served less than eight years at the USSS for her to have served on the POTUS protection detail (i.e. the crème de la crème of protection assignments.)
unSEALed: Never Saw That Coming

Chapter Summary

Jack Curtin, a former navy SEAL, convicted with the murder of his wife, escapes from the United States Disciplinary Barracks at Fort Leavenworth in Kansas. Agents Todd and McGee are left to guard his son Kevin and his maternal grandparents who he lives with, just in case he tries to contact his son.

Jack Curtin easily manages to breach the NCIS agents' ineffective protection detail, leaving Kevin traumatised, which does not impress his grandparents at all.

Chapter Notes

A/N: Kevin Curtin’s grandparents were never actually referred to by name in the episode, only their designated role so I decided their the last name was Dwyer – just go with it. Fun fact - when I was writing this, I initially called the grandies the Drapers but suddenly realised that their son in law’s last name was Curtin, so that was a bit weird. At that point they became the Dwyers instead.

I’ve also decided to split this tag into two parts. I swore I wouldn’t do that with episode tags but then this chapter ballooned out to OVER 16,000 words. WTH - how did it become such a behemoth? Anyway, as I have two more tags that have approx. 16,000 words too, I’d appreciate your thoughts on whether you’d prefer them divided into two smaller chapters or just one chapter?

Someone requested quite a while ago that I write a tag that puts Caitlin Todd on the stand to testify in a court case. I’m usually very chary about writing courtroom scenes since I’m not a lawyer, but this case fit the brief ;-) so here it is. I hope you’ll overlook any errors, especially any legal types.

Thank’s to people who left comments after the last tag - I was surprised to hear from so many mandated reporters. But very happy too!

See the end of the chapter for more notes.

Series: There’s Always Tom Morrow

Episode: unSEALed

Title: Never Saw That Coming

Characters: Leroy Jethro Gibbs, Anthony DiNozzo, Caitlin Todd, Timothy McGee, Tom Morrow, Captain Alison Krennick (JAG), Joe Landers (OC) and Lydia Collins (OC).
The lawyer flashed her professional courtroom smile at her witness, trying to get her to relax a little. The brunette was projecting a rather prickly persona and she assumed that it was nerves, since she wasn’t used to giving evidence in court cases, but nevertheless, she needed to win over the jury.

“Let me make sure I have this correct; you were left at the Dwyer’s’ residence to act as protection, Probationary Agent Todd?”

“Yes, that’s right.”

“Protection against what precisely?” Captain Alison Krennick pressed her star witness.

“Against the threat that a former US Navy SEAL, Jack Curtin posed, who was previously incarcerated in the United Stated Disciplinary Barrack, Fort Leavenworth. He’d escaped unlawfully and since his son, Kevin was in the custody of his maternal grandparents, the Dwyers, we wanted to protect them in case he tried to abduct his son or harm them.”

“Is it typical for a probationary field agent to be left in charge of a protection detail?” Captain Krennick inquired of her witness.

“Well no…not usually. But when it comes to protection, I’m anything but inexperienced in protecting individuals.”

“Is it true that you were a Secret Service Agent for almost eight years before joining NCIS and that you were on the Presidential protection detail for several years, culminating with leading that team?” The lawyer asked her witness.

“Yes, that is true.”

“So, it is safe to say that you were well qualified to take charge of a case such as the protection of Kevin Curtin and his grandparents?”

Caitlin Todd nodded gravely. “I would say so. You don’t get more senior than being head of the POTUS’ protection team.”

The lawyer nodded. “True. So, Roslyn and Stewart Dwyer and their grandson, Kevin were in the best of hands?” Krennick asked, shooting a look of earnest concern at the plaintiffs. The stunning blonde Captain was aiming to present a picture of deep and genuine concern towards the elderly couple suing NCIS, even though privately they were ‘The Enemy.’

Still, even if she went home and threw darts at their photo, the Navy lawyer knew it was all about appearances – this law suit was about theatre. The jury had bonded with the elderly pair, therefore her attacking them would not be the smartest of trial strategies. And if there was one thing that Alison was, it was smart.

“Well, they were certainly considered adequate for protecting the commander-in -chief.” Todd responded virtuously, referring her experienced hands.

“And could you refresh the court’s memory for us, Probationary Agent Todd. Were either of the Dwyers or Kevin harmed at any time during your protection of them?”

“No, they weren’t, Captain.” Todd answered definitively. “

“Thank you, Probationary Agent. No further questions.”

Alison smiled at her witness as she returned to her seat and sat down beside her second chair, Joe
Landers, Head of Legal at NCIS. Exchanging an enigmatic glance with her colleague, she metaphorically crossed her fingers and hoped for the best and expected the worst.

The plaintiff’s legal counsel stood up unhurriedly and smiled engagingly at the jury. The press had dubbed this case The Battle of the Blonde Bombshell Gladiators. Alison was a natural blonde who’d traded off her good looks her entire career, having been taught by her statuesque and stunning mother that if you got it, flaunt it. And flaunt it she had, strutting a very narrow path between sleeping her way to the top with superiors and using her position to harass young good-looking officers under her command to satiate her strong libido. Well there really had to be some compensation for being forced to sleep with soft, saggy, oftentimes grossly fat old men and then lie through her teeth about their prowess in the sack. Little wonder she’d needed to chase away those disturbing images with some young hard body; wouldn’t anyone who looked like she did want to bleach her brain?

Lydia Collins, her opponent, was swaggering her way across the courtroom to stand near the jury box. A Jeri Ryan lookalike, the male jury members were drooling over her cool blonde locks and overlarge sea green eyes that she used to effect, as were several of the female jurors too.

Krennick was rigidly heterosexual; with her eyes set firmly on the goal of becoming the first female Judge Advocate General and then ultimately SecNav, she couldn’t afford even a whiff of scandal dogging her. Still, if she was into batting for the other team, which she was not, Collins would definitely be capable of revving her motor…so to speak. Apart from her looks, the civilian attorney, specialising in high-profile civil suits, oozed self-confidence which was extremely sexy in a remote, unattainable sort of way.

Watching her work the jury was a revelation, especially the mousey looking nurse, Janice Nash who Alison had pegged as bi-curious after seeing the interest she exhibited towards Collins. Which, after a string of failed relationships with a bunch of losers. Kind of made sense. Krennick had selected the nurse in voir dire, not for her possibly confused orientation, but because her father, grandfather and her cousin had all served in the US Marine Corps. Still, watching Collins flirt with Nash, she briefly fantasized about what it would be like to be able to flirt with jurors regardless of whether they had their reproductive organs on the inside or outside without worrying about a bunch of misogynistic, saggy old farts thought about it and killing her career prospects.

Automatically she reminded herself that Lydia Collins didn’t have her sights firmly set upon the prize of her career. Collins was probably motivated by driving the latest model Porsche, redecorating her condo and owning the latest designer clothes but Alison craved power. Ultimately, she was destined for the Pentagon and couldn’t afford to let even a hint of rumourmongering to derail her in her goals.

Finally, after thoroughly unsettling Probationary Agent Caitlin Todd by ignoring the NCIS agent and making her sweat, Lydia made eye contact with her. “So, I believe that you’ve only just recently joined the NCIS agency, Agent Todd?” She began her cross examination, all smiles and chumminess. “Are you enjoying it?” she asked and Krennick noted in annoyance that Todd relaxed, despite her extensive witness preparation warning her that Collins was not her best friend.

Exchanging looks of frustration with the head of the Legal Department of NCIS, Alison knew that it had been risky opening with Todd. Despite being a federal agent for almost a decade, she didn’t get called to testify while serving in the Secret Service and Landers had deliberately avoided calling on her since joining the MCRT. He’d been fairly blunt, stating that she had too many skeletons rattling around in her closet to be an asset on the stand.

Besides, he explained that DiNozzo was his go-to witness on the team, a former cop with a wealth of experience giving testimony. Plus, he was also incredibly charming and adept at being cross
examine without losing his temper on the stand.

Unfortunately, DiNozzo had not been involved in the protection detail. Todd was, so Krennick had no choice but to put her on the stand. Still, despite her witness preparation, she could see Todd responding positively to the female attorney and Alison recalled from her psych. profile.

‘A rather militant feminist who responds aggressively towards male superiors. Clearly she prefers to work with or for other females.’

Krennick had contributed an addendum to the shrink’s opinion – she prefers to work with or for other females - UNLESS she is sleeping with the male. Many people might think Krennick had no room to talk but honestly – having an affair with the POTUS’ football carrier? That was both incredibly ballys and incredibly stupid!

Alison figured Cate’s high achieving elder sister and her being the very doted upon baby of the family, had influenced her career choices. Wanting to one-up her sister (who was a clinical psychologist) had probably led to her going into law enforcement AND psychological profiling.

Now Krennick was watching her star witness’ defences crumble before her eyes. She was just hoping that Collins hadn’t dug too closely into Todd’s past. Her recommendation to SecNav after reading the profiler’s jacket was that they should settle this situation out of court, but he’d refused. So, that left herself and Landers to do the best job they could with what had been handed to them.

Which was that ultimately, while Jack Curtin had managed to get past the NCIS security detail left in place to guard Kevin Curtin and his grandparents from a homicidal SEAL, he had also been chased off by said security detail and no one had been harmed. Luckily, Jack Curtin turned out to be innocent of the murder of his wife or this civil suit would have been a lot more explosive.

Bottom line, she had no desire to be on the losing end of a law suit against NCIS but really had little choice but to follow orders as she’d accepted the job of SecNav’s fixer years ago. After a year as Admiral Chegwidden’s 2IC, Alison had realised Chegwidden was way too inflexible, too by the book. He’d not exactly been a fan of her predatorial proclivities, especially pertaining to Harmon Rabb, who to be fair was hardly a blushing ingénue. Although, Krennick chuckled mentally she was definitely capable of successfully playing the vamp.

Watching Todd’s body language relax, Alison cursed SecNav’s forcing her to take this case to court given they had such a clueless star witness. She’d read expert opinion that Todd sucked as a profiler because she allowed herself to become emotionally involved with not only victims, losing her ability to profile accurately and effectively. However, even more disturbing, she also let murderers and terrorists con her into championing them as innocent victims. Now Krennick was seeing it happen right before her eyes as Caitlin Todd smiled at her nemesis and let down her emotional guard. No doubt what she was perceiving was Collins as another strong, confident woman like herself, who’d made it in a man’s world and was extending to her the hand of sisterhood.

Give me strength – she’s supposed to be a profiler?!

Wondering for a split second if she’d get away with calling in a bomb threat so she could short circuit this FUBAR before it blasted out of the courtroom any chance they had of winning, Alison heard Landers groan beside her.

“Yes, I’m enjoying it thank you.” Caitlin Todd responded.

“So, I’m guessing that the Secret Service job was fairly boring and pedestrian?” Krennick looked askance at Joe who gave a miniscule shake of his head, not seeing what Collins intended with that
question either.

“No, I wouldn’t say that,” she bristled. “We travelled the globe with the POTUS and it was pretty exciting and a great responsibility to protect him.”

“Oh, I’m sorry,” she apologised. “So, you never told Mrs Mary Wiles, widow of Lieutenant Mark Schilz, in what was your fourth case after joining NCIS, that the reason you’d left the Secret Service because it was much more exciting to work for the Naval Criminal Investigative Service?”

“Damn it.” Alison muttered sotto voce. That had certainly come right out of left field. It was clear where the lawyer was heading now. Where they had hoped against hope she wouldn’t. Where she would have gone too if she’d been in Collins’ shoes. Although she thought bitchily, I really wouldn’t have tried to pull off those Christian Louboutin’s with the aqua Dior power suit. Less is more!

“Um no that is yes. I mean yes, I did tell her that.” Cate stumbled over her answer.

“Which answer was true then, Agent Todd?” Collins asked her, smiling at the short puny bank teller with bags under his eyes.

“My answer today,” she answered sullenly.

“So, you were lying to Mrs Wiles to get her to what? Confess to a crime?” Collins probed?

Cate shook her head and the judge directed her to answer verbally.

“No,” she responded monosyllabically.

“Well I suppose you wouldn’t want to admit that you were forced to resign from your dream job due to impropriety? I believe it was sexual indiscretion with another team member and failing to protect the POTUS from an attempt on his life by terrorists, wasn’t it?”

The NCIS agent flushed bright red, and appeared to be struggling to maintain her composure.

The Judge was again forced to directed her to respond verbally to the question.

Exceedingly reluctantly she replied. “Yes”

Nodding, Lydia gave her a sympathetic look. “In fact, wasn’t it on that final protection detail that you met your current boss?”

Cate had finally seemed to realise that the attorney was not her friend, - her body language was now closed off towards the plaintiffs’ lawyer. Unfortunately, she was also coming across as evasive and unreliable with the jury and Krennick felt an impending stress headache niggling away at the back of her eyes. Joe Landers decision not to use Todd in prosecuting NCIS court cases had been amply vindicated. She was not a particularly sympathetic or credible witness.

“Yes, that’s correct.” Cate answered.

“And wasn’t it Senior Special Agent Gibbs who managed to quell the attempt to kill the President – by a journalist who you had already cleared of being a security risk?”

For a third time, Todd was forced to answer in the affirmative.

Wow! That must have been an embarrassing job interview.” Collins quipped sarcastically, pulling a face at the jury as Alison leapt to her feet.
“Objection, Your Honour. Counsel is proffering an opinion. Where is the question to the witness?”
She demanded.

“Objection sustained. Confine yourself to questions, not commentary, Ms Collins and the jury will disregard that last remark,” Judge Stanford directed.

“Yes, your Honour,” the counsellor responded penitently, although she flashed a conspiratorial grin at the jury.

Turning back to face Cate, she asked. “I understand that your boss offered you a job because he was on the lookout for a female agent to replace the previous one.” Collins asked her.

It seemed a benign query, especially in light of the ramification that she’d almost gotten the President killed while engaging in some highly unprofessional nookie with a team member. However, the plaintiffs’ lawyer had evidently done her homework, which worried Krennick.

Cate bristled. “I was hired because of my profiling abilities, not because I have ovaries. I’m as good as any male agent.”

Krennick mentally kicked her star witness. How dumb was she really? While in terms of biology, she’d been around the block more than once, when it came to common sense she was a mere child amongst a pack of ravenous she-wolves and about to get eaten.

“Well, I’d had thought that having a female agent on a team would have been a prerequisite. Particularly where a female victim might be too traumatised to talk to a male agent, or a child witness might be too threatened to deal with a guy, but I guess you’re the agent.” Her subtext was plain as day to anyone with half a brain – you’re a deluded, incompetent silly fool! Certainly, the jury got it!

Alison could have objected since Collins had be testifying again by not asking Todd a question, but the jury already had formed a negative opinion towards the ex-Secret Service agent. If she objected again, then it would go against them in the long run since everyone could see the common sense in what Collins was saying. Everyone but Caitlin Todd apparently.

“So…let’s talk about your profiling,” Lydia Collins began brightly and Landers moaned, as well he might, since Todd had walked right into that one and Krennick had already briefed her to avoid the subject of profiling. They absolutely did not want to go there. “Special Agent Gibbs hired you for your profiling skills? Is that a correct statement?”

Remembering that Captain Krennick had specifically ordered her to steer clear of any talk of her profiling during her testimony, Todd got defensive and snarky but had no choice. She couldn’t perjure herself. “Yes, that’s true.”

“I’m assuming you profiled the escapee, Jack Curtin?”

“Yes, I did.”

“Obviously, it was as successful a psychological profile as all your other profiles since joining the major case response team. As in a total and abject failure.”

Krennick stood. “Objection your Honour. Counsel for the plaintiff is testifying again.”

“Sustained. The jury will ignore Ms Collins last remarks.”

“My apologies,” the Jeri Ryan doppelganger dipped her head in what seemed remorse. Alison reckoned it was regret that she hadn’t gotten away with her thrust and parry.
“So, did you profile Curtin as dangerous to his family?” Collins pressed.

“Yes.” She responded shortly.

“Lucky you were wrong.”

“I wasn’t the only one to get Curtin wrong.”

“True, but you also get a lot of profiles wrong, not just Curtin’s. Like the terrorist who shot the medical examiner’s assistant, your own boss and killed an FBI agent who you profiled as having kind eyes, or the Roman Catholic seaman who you refused to believe had committed suicide because it was a mortal sin to take his own life and yet he came close to killing the ship’s captain by planting a bomb in his sea cabin. Isn’t that true, Probationary Agent Todd?”

Grumpily, she answered, “Yes. But…”

“Plus, wasn’t there was so-called victim – an amnesiac who was in fact a murderer who then blew up a building along with herself and the man who spurned her affections?” Collins prodded at her relentlessly and without empathy, interrupting her attempted justification, stealing a significant look towards the jury.

“And then there was the eco- terrorist who came very close to taking out an entire submarine and you – a self-described skilled profiler - was unable to identify the imposter. Have I gotten any of those cases wrong?” Collins drilled her, cool green eyes staring at Cate with a subtle hint of distain.

Swallowing down her anger, Todd responded testily. “No…but you’re taking them out of context. Trying to make me look bad.”

“Not having to try all that hard, Agent Todd.” Seeing that Krennick had risen to object, Lydia jumped in first. “My apologies, your Honour, I withdraw that remark.

Turning to attack again she asked, “Earlier you stated to this court that neither the Dwyers or Kevin Curtin were harmed while they were under your protective detail. Is that a correct statement, Probationary Agent Todd?”

“Yes, it is.”

“May I remind you that you’re under oath. Would you care to reconsider you statement?”

Cate looked puzzled. “Yes, I am aware I’m under oath but no one was harmed.”

Collins stared at her silently for almost a minute. “So, you are maintaining that pointing a loaded gun at a young boy and then him hearing you fire off a rifle a number of times, then your announcement that you had wounded Curtin (his father who Kevin loved) didn’t harm Kevin Curtin in any way? Really? And you call yourself a profiler.”

Lydia turned and glanced at the jury.

“Well ah obviously he might have been a bit upset but he was fine…Not harmed.”

The attorney shook her head, incredulous. “Moving on…isn’t it true that Jack Curtin managed to effortlessly breach the defences you’d designed? Isn’t it true that if Curtin had been the homicidal murderer that you’d profiled, that as he was former Special Forces he could have abducted his son Kevin from under your nose and slaughtered his in-laws. All because he managed to disarm you and restrained you to a chair, despite your much-vaunted abilities in protection and hand to hand combat?
Are you going to claim that I’m taking those facts out of context too?”

“Yes I am.”

“So, former SEAL and escapee, Jack Curtin didn’t breach the protection defences you’d designed?”

“It isn’t that simple…”

“Yes or no, Agent Todd?”

“Yes.”

“Didn’t he neutralise you effortlessly because you assumed, wrongly, that the noise you heard was due to Kevin being in the kitchen. Once you saw Kevin and frightened him to death pointing your loaded Sig Saur at him, you relaxed your guard instead of continuing to clear the house.”

“Well, yes but…”

“Rather a rookie move for someone who was in charge of protecting the President of the USA, wouldn’t you say?” Connell asked acerbically.

“It’s not that simple,” Cate insisted.

“Did Curtin disarm you, restrain you so you were tied to a chair and take your gun with the intention of killing someone with it?”

“Well yes, but he wasn’t really a murderer – he was going after his wife’s real killer.”

“And that was incredibly fortunate for my clients’ safety, but as far as you knew, he was a cold-blooded killer and he managed to overpower you with little to no effort and he managed to take your gun. Isn’t that so?

“Technically but…”

“So, it’s your contention that Curtin couldn’t have ab ducted his son Kevin and slaughtered his in-laws?”

“No, because of my partner, my back up, who realised that we’d been breached when I failed to check in. My security precautions worked as they should. As I designed them.”

“Ah yes, Agent McGee. Your backup, a green newbie who has never even served as a field agent. I’m sure he would have been most effective if Jack Curtin had been a vengeful murderer, hell-bent on taking back his son. Isn’t it true that in the time it took him to realise something was wrong i.e. the interval between your last check in and the one you missed and then coming to find you and taking the time to set you free, he blundered.”

“No.”

“Curtin had plenty of time to have absconded with Kevin or cut the throats of his in-laws, had he been so inclined? Especially since he’d acquired your radio and could hear when McGee called in a radio check. Why didn’t Agent McGee do his job and secure the civilians he was supposed to be protecting.”

“I was the experienced agent, and we were breached by a special-forces trained individual.”

“So, you’re admitting that he was a woefully unsuited to be temporarily assigned duty to such a
critical protection detail? That he made a crucial error in not securing his charges?”

Realising she’d put her foot in it, Cate backtracked. “No. I’m saying that since I was the agent in charge and obviously far more experienced than he was, it was sensible for McGee to come and free me so I could take charge. I had more training in hand to hand combat, for example.”

“But Agent McGee was armed, wasn’t he?”

“Yes, but for all he knew, Curtin could have taken hostages.”

“And for all he knew, Curtin could have been cutting my plaintiffs throats while he was wasting time setting you free.”

“Well he was forced to make a judgement call, and it proved to be the right one, since everyone was fine.” Cate declared arrogantly.

Lydia sneered. “More like good luck, but I think you’ll find plenty of protection and security experts who would argue that McGee made the correct call, Agent Todd.”

Krennck looked across at her second chair. They knew that Collins had several so-called experts ready and waiting to testify. It was SOP for civil suits like this case. Still, it wouldn’t help NCIS’ somewhat shaky case. Thankfully, the Dwyer’s attorney seemed to have almost finished cross examining Todd who had not been a great witness.

Alison decided that Joe was wise to keep her off the witness stand. Apart from her numerous Achilles heels, she came across as sarcastic and defensive if challenged which wasn’t something that went down well with juries. Making a mental note to send a memo informing all the JAG lawyers to avoid using her to give evidence unless there was no other option, she began thinking about dinner that night. After all, it was 1640 surely the judge wouldn’t call another witness tonight.

Perhaps she should give Harmon Rabb a call, order him to drive down to DC from Virginia and have dinner with her. Room service was excellent at the hotel she was staying in. Although, thinking about that dishy young piece of meat, NCIS special agent Anthony DiNozzo gave her pause for thought. She’d made up her mind to bed him before the trial was done. He had a reputation as a player and she liked turning the tables and hunting down the young studs. He was a former college basketball and footballer so he was likely to have excellent stamina and recovery times. She was often left wanting in her sexual conquests, especially when they were old and flabby generals and admirals.

Momentarily, she zoned, picturing herself doing them both at once – her hotel suite had a king-sized bed and an enormous bathtub, before she quickly abandoned the idea. Her political ambitions took precedence over sex orgies, as fun as it might be to spend the night with two physically attractive younger males with hard bodies. Still, if the rumours were true, DiNozzo might not be averse to her using his handcuffs to chain him to her bed and let her humiliate him with her riding crop. Frankly she needed to let off some steam after this debacle.

Zoning back in on the cross examination, Collins was asking Todd to justify using Special Agent McGee who was fresh out of FLETC and a computer wunderkind. Not a seasoned field agent.

“Um because there was a stomach flu doing the rounds of the agency. We were understaffed.” The Captain winced.

“So why didn’t you request a platoon of Marines to help with the protection duties? Were they all off with stomach flu too?” Collins probed as the jury collectively leaned forward, invested in the answer.
Todd shifted uncomfortably in her seat before seeming to reach a decision as there was a subtle change in her body language. “Because Gibbs informed me that McGee was going to be my backup and he doesn’t appreciate his subordinates questioning his orders.”

“I’m sorry, I thought you were the acknowledged expert. Wasn’t it your protection detail?”

“Well yes but Gibbs is the Senior Supervisory Agent and had final say on all the details.”

“So are you saying that Special Agent Gibbs is a micromanager who doesn’t trust his team.”

“No, I’m not.”

“Isn’t he a former gunnery sergeant in the Marine Corps? Why wouldn’t he want to make use of highly trained personnel to protect a child and his guardians instead of an inexperienced agent who was assigned to Norfolk Naval base as a glorified administrative assistant?”

“I don’t know. You’d have to ask Gibbs why.” Cate finally responded.

Lydia Collins turned and faced the jury. “Oh, believe me, I intend to do just that. No further questions for this witness, your Honour.”

~o0o~

Next morning Alison climbed the stairs of the courthouse, feeling frustrated. Her night had started off on such a high note. DiNozzo had turned up dressed in an Armani suit, bespoke shirt and silk tie and escorted her to dinner. She did receive the occasional fleeting feeling that the NCIS agent might be ‘handling’ her although there was nothing she could put her finger on apart from being very urbane. He was witty and charming and had their server and the bar staff eating out of his hand.

Krennick really liked how every female and a few men in the restaurant was staring jealously at her. She loved how he flirted shamelessly with her while providing intelligent conversation and she was envisaging a night of passion and little sleep when he received a phone call from some agent called Balboa requesting his assistance with a witness ASAP. Despite trying to put it off until later, the senior supervisory agent demanded Tony get his ass down to the crime scene.

DiNozzo was solicitous and seemed regretful that he had to cut short their time together but Alison couldn’t help feeling she was being managed. Perhaps it was just that Anthony seemed to be as enthusiastic about a romp in the sheets as she was. That was unlike most of her young toy boy targets who were threatened by her take-charge approach, even when they were trying to act cool; he seemed unfazed by her cougar-like tactics. Or perchance she was feeling like he’d conned her simply because she was frustrated sexually and feeling crabby. Perhaps she’d try to hook up with him again tonight.

Waiting inside was Joe Landers and their next witness, Special Agent Timothy McGee. He was Admiral McGee’s son but unfortunately, where the Admiral was a real hard ass type, his kid was a baby-faced stuttering, geeky kid who looked as if he wouldn’t dare say boo to a goose. Initially, when she’d learnt who her witness was, Krennick felt like Tim McGee’s testimony would be a walk in the park, having been familiar with his father. The Admiral was a take no prisoners sort of guy. After meeting his son though, she rapidly reached the conclusion that he would not make a great witness.

Joe Landers and his acolytes worked with him extensively on witness presentation but on the stand, he’d blushed bright red, stuttered and stammered and appeared to be painfully shy. He definitely didn’t portray an image of a federal agent who was cool, calm and competent; ready and able to
defend people such as the plaintiffs, with his life if necessary.

To her relief and astonishment though, several of the women and the one geek on the jury seemed to find his awkwardness cute, although Alison didn’t get it; she liked men with balls and a backbone. Timothy McGee would faint if she ever tried seducing him. Still, she was glad that three of the jurors seemed predisposed to make allowances for him. And he’d managed not to piss off the rest of the jurists, not like Cate, even if they hadn’t been overly impressed by his stuttering, stammering and sweating while she was questioning him.

That all changed when Lydia Collins began her cross. Damn her to hell!

“So, Agent McGee, you’ve testified that you graduated top of your FLETC class last year?”

“Yes Ma’am. That’s correct.”

“And you said that you’ve applied to be a field agent on an investigative team. I’m surprised since I see by your academic records that you are quite competent with computers…”

Interrupting, he was quick to correct her. “I have a Master’s degree from MIT in computer forensics and a degree in biomedical engineering from Johns Hopkins. I’m way better than competent.” He declared, and interestingly there was no sign of a stammer.

“Which, given your family background, I’m surprised you didn’t enlist in the navy. Your father is Admiral John McGee, isn’t he?” Collins probed.

The baby-faced agent blushed. “Yes, he is but ah well…um I ah get sea-sick.”

“Pretty sure they have medication for that, now. Plus, a lot of the top analysts and researchers never spend any time at sea. So, what made you want to become a field agent?”

“Um well I ah read this article when I was at MIT by a federal agent. He was attending Annapolis Naval College studying computer sciences and was…um forced out due to injury. He became an NIS agent – the predecessor of NCIS and believed the future of law enforcement was computer algorithms and digital developments, not pounding the pavement canvassing and using up old-fashioned shoe leather. Figured my algorithms could shape law enforcement.” Once again, when he got going the stuttering and stammering disappeared.

“So, when you were assigned to the Dwyer’s protection detail did that surprise you, since you aren’t a field agent?”

McGee swiped his brow with a handkerchief. “No…um there was an um a stomach flu going around.”

“So, how many protection details have you served on?”

“Including this one?” He asked nervously, avoiding looking Collins in the eyes.

Collins nodded. “Including this one.”

“Well…technically uh one.”

The plaintiff’s lawyer fixed him with an eagle-eyed stare and watched as Timothy McGee squirmed uncomfortably in his seat, turning a bright vermillion shade of embarrassed.

“Technically? What the heck does that mean.”
“Well I um took part in a computer simulation at FLETC – got an A plus,” he revealed, grinning smugly. “And I took part in an NCIS training exercise at Hogan’s Alleys, guarding a witness who was giving evidence against an organised crime figure.”

Lydia regarded him gravely. “Exactly how many times have you been out in the field, Agent McGee?” She asked.

Looking alarmed he mopped his brow again, wet patches beginning to appear at the front of his button-down shirt as he fiddled anxiously with his bland necktie. He looked supremely uncomfortable.

“Ah…um…I’m not really…that is to say a handful or two. Maybe.”

“So, between five and ten times…maybe…that you’ve been out on the field. Yet you weren’t surprised to be assigned to the protection detail? Why?”

“Because I graduated top of my FLETC class. The next ah field agent vacancy that occurred would be mine.” He replied.

Changing the subject Collins stared at him. “You and your sister grew up around navy personnel – you were what they call navy brats weren’t you?”

“Um yeah…Sarah and I…yes we were.”

“I guess you both idolised you dad, growing up. Thought he was a hero?”

“Um I guess so.” He sounded far from certain about that fact.

“So how do you think that Kevin felt when he heard you and Probationary Agent Todd shooting at his father. Was he traumatised? Did he think you’d killed his dad?”

Krennick rose. “Objection, Your Honour. Agent McGee is not a psychologist or a psychiatrist. He’s not qualified to offer an opinion about Kevin’s state of mind.”

Collins argued. “He was there. He was a navy brat himself. Could easily put himself in the place of one of the individuals he was protecting, especially the son who idolised his navy SEAL father.”

The judge stared at McGee reflectively before nodding. “I’ll allow the question.”

McGee had that deer in the headlight expression and he stalled, taking a sip of water as he figured out what to say. “Well I guess he um ah yeah. Maybe he thought Curtin was dead. That we shot him. He was ah… pretty um upset at the time.”

It was a damning admission, Alison conceded. Part of the damages being claimed by the plaintiffs were from the attempted shooting of Jack Curtin that took place in front of his son Kevin, and the ensuing PTSD and nightmares experienced by Kevin Curtin. Collins was alleging that the boy initially believed his father had been killed the NCIS agents. Krennick was pissed off because having the baby-faced rookie agent confirming that Kevin was distraught was much more effective that having an expert testify.

Of course, she was sure that Collins would cover that base with a shrink too as. She’d juxtaposed it expertly between the boyish agent who was himself a navy brat and his stammering and stuttering testimony illustrating how much of a rookie he was; demonstrating how totally unsuitable he’d been to be co-opted for the temporary assigned duty. Lydia Collins was a dangerous woman!
To be honest, Krennick was relieved that the dude whose vehicle was carjacked by Curtin hadn’t decided to sue them to for trauma and mental anguish. Todd impulsively tried to trick Curtin into thinking they’d located his car, forcing him into behaving rashly i.e. carjacking an innocent civilian to get away. Which failed because they didn’t have the manpower to try to box him in and take him down. Fortunately, Car-Dude hadn’t resisted and gave Curtin his vehicle without any macho posturing, so he hadn’t been hurt. Not physically at least but Alison had no doubt that having a gun shoved in his face was a terrifying experience for someone who wasn’t trained to cope with it.

She watched as Collins changed tack again, keeping McGee off balance and asking him, “When you entered the premises to check on Caitlin Todd, did you clear the house before you freed her, as per protocol?”

Landers shot a glance at Alison, hoping that McGee would stick to the facts because this question was a trap. If he said yes, he cleared the house, the jury would know he was lying. If he said he failed to clear the house, it made him look like a bumbling oaf. It was a no-win question and McGee started sweating badly, his hand shook as he reached out and grabbed the glass of water, gulping audibly as he considered his answer. Finally realising that there was only one thing he could say… the truth, he swallowed nervously.

“Um…ah…well no. Not exactly.”

“Yes or no?”

“No.”

“Did you call for assistance before heading into the Dwyer’s residence or did you head in without backup?” Collins pressed.

“I… ah… no. I didn’t know that anything was wrong. I didn’t want to… um… cause a false alarm.”

“But it wasn’t a false alarm.”

“No, not a false alarm,” he agreed.

“Did it not occur to you that Agent Todd might have been left there tied to the chair as a trap to lure you in?”

“Uh no, it didn’t.”

“Curtin was a former SEAL, if he’d wanted to, he could have overpowered you and no one would have been the wiser. Isn’t that so?” Collins asked him.

“I guess so.” He conceded half-heartedly.

“He could have abducted Kevin and had a huge head start or if he had been the violent offender you believed him to be, he could have easily killed all of you and escaped. You never thought about that?”

Looking like she’d just kicked his cute little puppy, he blanched and shook his head. “Um no. No, it didn’t occur to me. I should have called it in.”

“Why didn’t you?” Collins wanted to know. “Especially since Special Agent Todd had thought she heard a noise at the last check in and then failed to respond at the next one.”

“I didn’t want to call in a false alarm.”
“Surely a false alarm would be a preferable situation than being ambushed and those you were supposed to be protecting placed in danger?”

“Yee-es.” He responded reluctantly, obviously giving the socially acceptable answer but not truly believing it.

“That doesn’t sound like you mean it. What could be so important that you would risk harm to Kevin and the Dwyers rather than play safe.

“No, they were important.”

“A false alarm is not the end of the world and you wouldn’t be the first person to play it safe and then not need back-up, surely?” Lydia observed.

“No… I guess.” McGee looked unconvinced.

“Besides, the fact that the previous check-in had involved what to your knowledge was a false alarm and the very next one she failed to respond. Didn’t that strike you as a coincidence?

“I didn’t think about it,” he said.

“You didn’t think about it?”

“No, I didn’t.”

“So why the big deal if you did call in a false alarm?” Lydia asked.

“I’ve sort of been trying to impress Special Agent Gibbs; I want to be on the major case response team.” He admitted grudgingly.

“Okay, so why wouldn’t you want to play it safe?”

“He doesn’t like it when his team stuffs up. I ah... guess I didn’t want to earn a reputation as someone who um panics.”

“Alerting your colleagues that Todd hadn’t met her scheduled call in and that you were going in to check on her doesn’t seem like panicking to me. Don’t you think that it would demonstrate you were diligent and responsible?”

“No, not if there was nothing wrong or there’d only been a communication malfunction. He wants his team to anticipate.”

“So, you didn’t think that perhaps she might have been under duress when she told you that it was a false alarm, once she failed to meet the next check in?”

“No.”

“Why not?” Collins pressed him.

“Cate...um Agent Todd. She didn’t use the duress word.”

“If the suspect was holding a gun to the head of Mrs Dwyer, or pointed at Kevin, do you honestly expect that Agent Todd would have used the duress word? Really?”

McGee took on the look of a deer caught in the headlights on a dark highway and unable to get out of the way of a road train barrelling towards him.
“Um…yes. I mean er…um well no. No, it didn’t occur to me but um ah… it should have, I guess. Umm definitely,” he stammered looking towards the jury and making it clear it really hadn’t occurred to him.

Krennick wondered why the hell not. Why didn’t Gibbs as the senior agent in charge of the case use the opportunity when he was debriefing him as a teaching moment for the green agent and point it out? Relying exclusively on duress words was fraught with danger and could easily foster complacency.

“You mentioned already that you graduated top of your FLETC class,” Collins asked Tim, her tone heavy with irony but seriously, Alison couldn’t really object to the question because of her tone of voice. Unfortunately. ‘Objection, Your Honour. The litigant’s attorney is being sarcastic wouldn’t wash with the judge.’

“Yes, I did.” McGee agreed.

“You also told the court you were next in line to get the next vacancy on a field team?”

“Yes, that’s correct.” McGee said, happy to get some easy questions.

“But you had already graduated when Special Agent Gibbs hired Caitlin Todd, even though you said you were next in line. That must have been a real disappointment to you? Still, you can see why she jumped ahead of you in the queue …she’s a lot more experienced than you.”

“Experienced? She’s never studied investigative techniques or forensic collection methods, she wasn’t in the financial crimes branch of the Secret Service.” McGee blurted out, riled up by the questioning.

Joe shot an incredulous look at Krennick. He couldn’t believe it. McGee had just thrown Todd under the bus for taking “his spot on the team” and ended up making both look like incompetent rookies.

Alison was pissed off. Collins was making it impossible for her to win over the jury, though she had to hand it to that blonde bitch - she was good, damn it. She’d obviously done her homework on Timothy McGee. All Krennick had seen was a wimpy kid that had realised he’d never cut it in the Navy, since he’d always be compared to his father who not only was an Admiral but he was an Alpha personality to boot. Krennick, left the jury thinking Timothy McGee was a bit of a nerdy computer genius, and some of the jury seemed to relate to him just fine.

During her cross-examination, Lydia Collins, had managed to portray Agent McGee as someone who cared more about getting a place on the prestigious MCRT than protecting Kevin and his grandparents. Particularly if it meant him pissing off the almighty Gibbs. She’d also succeeded in getting him into admitting that he felt he should have been given a place on the Major Crime Response Team in preference to Todd. Not good!

After Collins had wrapped up her cross examination, looking like the cat that ate the canary, Krennick headed off to lunch with Joe Landers, cursing out SecNav for not listening to her in the first place. She’d advised him from the start that they should settle. The damages weren’t that prohibitive, not even with the distress and trauma they were claiming that Kevin had undergone. Certainly not as much as it would have cost them if Curtin had indeed been guilty of murdering his wife.

She had the strong sense that the Dwyer were bringing the suit more as a point of principle than an attempt to extort a huge sum of money out of them. Her boss hadn’t seen that way. According to SecNav, the Navy didn’t negotiate with terrorists so they damn well wouldn’t negotiate with bottom
feeding, ambulance chasing lawyers and litigants either. She just hoped he was prepared to lose since the case was going even worse that she had anticipated before it commenced.

Still, it could have been worse she supposed. Landers had warned her that McGee was in a sexual relationship with the NCIS forensic scientist. Sleeping in her coffin, no less. Could anyone say creepy?

Plus, he’d gotten a tattoo on his ass for the express purpose of impressing her so she’d go out with him. As Joe pointed out, a savvy attorney could very easily spin that fact, insinuating McGee could pose a serious risk to national security since he would be extremely easy to manipulate with the promise of sexual favours.

While she wanted to just call Lander’s speculation an absurd spin for the sake of cheap point scoring in the courtroom, Krennick couldn’t do that in good conscience. NCIS wasn’t just a federal agency that investigated crime – they also investigated terrorism, collected Intelligence and were involved in Counter-Intelligence operations. It was a potential security risk.

In addition, Landers had also informed her that the scuttlebutt at NCIS was that Gibbs was sleeping with his probie, Caitlin Todd. When she asked why, since it was strictly against protocol for a supervisor to have a sexual relationship with a subordinate on his team, Lander explained it was because she’d screwed up so many times and Gibbs kept ignoring her mistakes. The last agent before Todd was a former FBI agent he’d thrown off the team for blowing an undercover mission because she stared at the perp for a few seconds too long and it spooked him.

When you looked at it like that, Krennick could see how people would leap to such a salacious assumption. After all, a bomb had destroyed a naval contractor’s corporate HQ, another bomb took out a fair portion of the USS Forster, plus there were a score of other stuff ups but Todd was still on the MCRT. Frankly, it didn’t make sense, so she was glad to have averted that info about their affair being bandied about.

What the hell was wrong with the former gunny. He wouldn’t have gotten away with that crap, playing favourites in the Marine Corps.

~o0o~

The rest of the day was taken up with expert testimony. Hired guns – some of them former Secret Service colleagues who had worked with Caitlin Todd took their place in the witness box. It was frustrating, because professional witnesses would testify for whoever paid their exorbitant consultation fees but NCIS needed their testimony to give credence to their admittedly fairly shaky case.

Plus, Collins when presenting the plaintiffs case would trot out her own bunch of highly paid experts too, who would state categorically and with equal conviction that Caitlin Todd was totally incompetent. That she had no business guarding her grandmother while she was taking a nana-nap, let alone two custodial grandparents and an innocent, impressionable child from a convicted murderer.

It was an intricate dance that was played out for the jury – Krennick knew she had to go through the motions but at times it seemed so pointless. So, she needed to suck it up and present her experts.

She steeled herself with the thought of spending a hot and heavy night of sex with her latest toy boy. Well he wasn’t hers yet, she still had to bed him but good as.

Unfortunately come the next morning, Krennick was not feeling on top of her game. Contrary to her
plans she hadn’t bedded her target because the current object of her desire – Very Special Agent DiNozzo was filling in for another agent on an overnight stakeout because some agent’s snivelling brat had been rushed to hospital. She’d conveniently ignored the minor detail that said child had a broken leg. And when a call to Rabb was unsuccessful because he was aboard an aircraft carrier somewhere in the Atlantic, she’d ended up picking up someone in the hotel bar in desperation. Disappointingly, he’d looked pretty but didn’t live up to the hype.

Chapter End Notes

End Notes: before anyone decides to correct me that it was in the episode Left for Dead that Cate Todd told Suzanne McNeil that she left the Secret Service because NCIS was more exciting - I know that! However, she was dead and therefore couldn’t have divulged that conversation to Lydia Collins. However, Todd did have a conversation with Mary Wiles, Mark Schilz’s widow, off camera about joining NCIS, so it was conceivable if she’d lied to McNeil about her reasons for leaving the Secret Service, she would use the same excuse with others who asked her. After all, it is not likely she would admit that she left before they could fire her due to her breaking fraternisation rules.
unSEALed: Never Saw That Coming part 2

Chapter Summary

Gibbs takes the stand in the Dwyers' law suit against the flawed protection detail of themselves and their grandson Kevin.

Chapter Notes

Thanks to people who left comments - I do appreciate your thoughts and musings.

It seems that so far most people who expressed their preference don't mind really long chapter tags. Let me know if you prefer to have them in two smaller instalments or not because because fair warning, the next tag is still not quite finished and is currently at 17,300 words.

Here is the second part of episode 18 unSEALed.

Series: There’s Always Tom Morrow

Episode: unSEALed

Title: Never Saw That Coming

Characters: Leroy Jethro Gibbs, Anthony DiNozzo, Caitlin Todd, Timothy McGee, Tom Morrow, Captain Alison Krennick, Joe Landers (OC) Lydia Collins (OC) A.J. Chegwidden (JAG), Michelle Lee.

A/N: Kevin Curtin’s grandparents were never actually referred to by name only, their designated role so I assigned then the last name Dwyer – just go with it.

Part 2 Never Saw That Coming

Next morning it was Gibbs turn to take the stand. Krennick knew that Gibbs was a hard ass and wouldn’t fall apart on the stand. Factor in his stellar military record in the Marines, including a Silver Star and she was pinning her hopes on him to shore up their very tenuous position.

Of course, there was still the question of why he had let such a patently unqualified individual onto the team in the first place. Let alone continue to serve on the team, taking into account her massive screw ups when he’d tossed out a score of other probies for minor infractions. Hopefully, Lydia Collins wouldn’t bring it up on Gibbs’ cross. Yeah right!

Then Landers had to ruined her questionable mood (thanks to her failure to bed Agent DiNozzo)
even further by joking that at least Lydia Collins wasn’t a redhead, since titian-haired beauties were Gibbs’ Achilles heel. He’d had three red-headed ex-wives apparently and Alison felt as if she had all the air knocked out of her. She’d once dyed her hair brunette to get under the skin of a witness for the prosecution when she was defending a chief petty officer. He’d been facing a murder charge and she’d noted that she bore more than a passing resemblance to the witness’ dead wife.

Alison hoped Collins wouldn’t go to those lengths and become a red head.

Sighing in relief, Alison saw her opponent come gliding into the courtroom, blonde locks intact. Clearly Ms Lydia Collins wasn’t nearly as sneaky or cut throat as she was. Still, Alison had her sights firmly set on power and to get there she needed to be focused; this case was not going to help her cause at all. Refusing to defend NCIS when ordered to by SecNav was professional suicide too; this case was what was called a no win situation.

When taking the stand, Gibbs was, for the most part, perfunctory and business-like in his testimony. He struggled once or twice to maintain his temper as she asked what he’d previously expressed to her in witness prep as being asinine questions. Generally, though, he’d kept it together, maintaining that he had absolute confidence in Caitlin Todd and the protection detail she’d designed to keep Kevin and his grandparents’ safe. He kept on script, praising her hand to hand capabilities and her skill with weapons, emphasising she’d wounded Curtin when he fled the scene.

Alison noted with satisfaction that with his silver-grey hair and bright blue eyes, several of the female jurors were swooning while he gave evidence. As did the nurse, Janice Nash whose family members had all proudly served in the US Marines.

Knowing that it probably wasn’t going to be enough to win the case, Krennick also reminded herself that you couldn’t make a silk purse out of a sow’s ear. As much as she defended the MCRT in court because that was her job, privately she felt that they were damned fortunate that Jack Curtin had been falsely accused. If he had been a wife-killer and decided to gain revenge for being imprisoned, they would have been in deep shit since the protection detail was woefully inadequate in terms of manpower alone. One rookie field agent outside and one agent inside to watch three people was ridiculous; she had to wonder again what Gibbs had been thinking. With his years of experience, he really should have known better.

Sitting down again, Krennick flashed a look at Landers who nodded. They’d done their best but truthfully had been on a hiding to nothing. Neither lawyer realistically expected NCIS to win and both had said as much to SecNav who was obdurate that he wasn’t about to settle law suits with litigants. He argued that if he gave in to one law suite it would simply open the floodgates for every bottom feeding scum who decided to sue them.

Joe had privately expressed the opinion that Sec Nav would be better off if he put into place some much-needed procedures for agents on protection details, including a review of the ratio of agents/per/people being guarded. In addition, they needed to look at establishing a minimum amount of training and field hours served before an agent was permitted to work protective duties – at least without the trainee being under the direct supervision of a superior. Personally, Alison thought that sounded logical and highly prudent and was surprised that there weren’t such protocols in place already.

Still they did their job and figured that once Gibbs’ cross-examination was complete, they would probably rest their case. And just pray for a miracle and prepare for the worst!

As expected, Collins went into the cross-examination with all guns blazing and Krennick fervently hoped Gibbs wouldn’t lose his infamous temper. She watched as Collins tried to make Gibbs say that the protection detail was fundamentally flawed. She used a variety of ways to ask that same question,
trying to trip him up but it was basically Cross Examination Tactics 101 and Alison wasn’t worried about Gibbs dealing with it. It was pretty basic, so when another variant on isn’t it true that the mission was flawed from the outset popped up, it failed to register on Krennick’s radar…until Gibbs, the stoic and inscrutable former sniper blanched and subtly recoiled.

Then it briefly registered on her radar and she wondered about it – since for anyone else it wasn’t significant. For Gibbs, it was a monumental reaction when he was trying to remain on top.

Still it seemed so innocuous, she brushed it aside. In hind sight, she shouldn’t have but then she didn’t have all the facts either.

Collins had asked the witness, “Do you honestly expect the court to believe that if it had been your family members, your child who was being threatened by a murderer and being guarded by NCIS agents, you would have felt that the protection detail was up to scratch? In light of what happened to Kevin you would have genuinely felt that one rookie agent who’d never been on a field team plus a disgraced former Secret Service agent was adequate?”

And there was the flinch., subtle but still discernible. “Yes, I would. But Todd…”

“So, you can’t, under any circumstances imagine why the Dwyers would want to make damned sure that this doesn’t happen to some other family. You can’t understand why they might want retribution for what they…what Kevin went through?”

“No.”

“You honestly can’t understand why a dad or a granddad might desire revenge for what was done to his precious child?”

Again, an imperceptible flinch and a thinning of the gunny’s lip revealed that somehow her question had found its mark. “We did our job and the checks and safeguards worked. They should be grateful,” he responded, his teeth gritted.

“Oh, they’re grateful…grateful that Jack Curtin wasn’t a murderer or they could have all been dead in their beds.” Collins retorted sarcastically. “No thanks to NCIS.”

Krennick leapt up again to object and her objection was once again sustained by Judge Stanford Of course. Collins obviously knew that she was walking a fine line – they all did - but she still knew that it was almost completely impossible for jurists to totally discount what they’d heard. All lawyers worth their salt knew that being told to disregard hearing something was almost like an earworm that got into your head and continued to loop.

Collins switched tacks. “You have a reputation as someone who’ll go to any lengths to get your target. Isn’t it true that as a sniper you were trained to wait hours…even days for the optimum window to take your shot and take down your target?”

Gibbs rolled his eyes. “That’s true. What of it?”

“So, don’t you find it funny…coincidental even, that someone with your pedigree of always attaining your target no matter what it took, would okay a half-assed protection detail that failed miserably to keep Jack Curtin from being able to reach the Dwyers or his son, Kevin?”

“Don’t believe in coincidences…”

“Yes, I know that.” Lydia interrupted.
“And it wasn’t half assed.”

“In your opinion, Special Agent Gibbs.”

“What are you insinuating?” Gibbs started getting angry.

Alison noted Landers shifting beside her and she had a childish desire to cover her eyes so she wouldn’t have to witness the explosion they both felt was imminent. Obviously, she couldn’t do that though.

“This is my cross examination. Here’s how this works…I ask YOU the questions, Agent Gibbs” Lydia reprimanded him swiftly. “YOU answer them.”

Krennick watched with dismay as Gibbs struggled to bite his tongue.

“And for your information I’m not insinuating anything. I’m saying that maybe you wanted your agents to fail or you’d have given them the manpower to do the job properly. One agent and a rookie to guard three individuals – including a belligerent child who was desperate to make contact with his fugitive father? According to the experts I’ve talked with, that would have required three fully trained agents at an absolute minimum.”

Pausing for dramatic effect, the attorney finally tossed her cat-amongst-the-pigeons question out there and then watched the fallout. “Did you secretly hope that Curtin would break into the Dwyer’ home?”

“No, don’t be an idiot.”

“Did you want the father to gain access to his son? Was it some misguided but sentimental emotion that made you believe that a father should have the right to have custody of his child, no matter what? Did you think that Kevin shouldn’t be brought up by his grandparents?”

Rolling his eyes, his fists clenched tight Gibbs responded monosyllabically. “No. No. And no.”

“Maybe you subconsciously wanted Curtin to have a chance to say goodbye to his little boy?” Collins continued to pressure Gibbs, severely trying his limited patience.

“No!”

“Okay, so then maybe you were using Kevin and his grandparents as bait to try to apprehend Curtin or get him to lead you to the person he was going after?”

“No!” he snorted.

“You sound like I just said something ludicrous, Agent Gibbs.” Collins stated calmly.

“That’s because you did.” He retorted rudely.

“Really, if it’s so damned ridiculous then explain to me why you didn’t put the family up in a safe house or recommend that they go on vacation somewhere where Jack Curtin couldn’t find them? Wasn’t it true that him coming for his son was the best chance you had of capturing him and they were bait?”

“You should pull you head outta your ass, Counsellor. There is no way on this planet that I’d jeopardise a child of a Marine or a Sailor.” Gibbs exploded furiously.

Krennick had a mental image of a cartoon figure with steam pouring out of his ears, nose and mouth.
“I couldn’t help noticing that the Dwyers didn’t rate a mention in your protestation, Agent. And as for not jeopardising Kevin, you knew his father was a highly trained SEAL. You, of all people knew that a father couldn’t stay away from his only child. If you were truly serious about protecting Kevin’s safety then why weren’t you and your senior field agent protecting the Dwyers and Kevin?”

“We were handling the investigation back at the office.” He ground out, making a Herculean effort to not lose his temper and kick something.

“Okay, so why not request additional agents and teams to work the case?”

“I prefer to work with my own people. I train them up just the way I like them.”

“Well you’ve done a sterling job training your probationary agent, Caitlin Todd, you must be so proud. The Bombe Fernendeckung Fabrik bombing debacle, the attempted murder of Lieutenant Commander Robbins from the USS Forster by the so-called victim who she claimed wouldn’t commit suicide because it was a mortal sin for some who was a Roman Catholic…”

“And she was right; he didn’t commit suicide,” he interrupted.

“Suicide is considered a mortal sin by the Catholic Church because it breaks the sixth commandment – *thou shalt not kill* – not even yourself. So, seeing the seaman in question had no problem trying to kill his CO and very nearly succeeding, I’d say she was spectacularly wrong about him.” Collins rebutted him, swiftly. “Then there was her profiling of a cold-blooded terrorist who killed an FBI agent and shot two other people (including yourself) as having kind eyes. Shall I go on?”

Gibbs was clearly barely holding onto his anger. Joe was increasingly antsy beside Alison who attempted to object to the line of question but Judge Stanford overruled her; warning Collins to get to the point of her questioning quickly.

“You say that you prefer to train your own agents and while I have to strongly question your methods, based upon the results of your current probationary agent, Special Agent McGee isn’t a part of the major case response team. He isn’t even a field agent, so I’m sceptical. How is he more qualified or competent than fully trained field agents?”

“We were shorthanded. There was a stomach flu going around. McGee was called in from the Norfolk Naval Base,” Gibbs explained through clenched teeth.

Joe Landers wrote briefly on a legal pad and pushed it across to Krennick. She looked at it curiously and scowled. It read in large block letters: **GIBBS IS READY TO BLOW!!**

Great! Just what she needed. A hot-headed Prima Donna. Surely, he knew that the plaintiff’s attorney was goading him, trying to get him to say something stupid.

“Funny, I happen to know that the DC office of NCIS had a seasoned agent working cold cases.” Collins stated neutrally. “I’d have thought requesting his help on the case AHEAD of a green agent with no field experience would be far preferable - for the good of the innocent civilians you were protecting and the agents who were working on the case. You had a responsibility to keep them all safe too. Can you explain why you didn’t…”

It was at that point when Gibbs totally lost it and chaos ensued when he started yelling abuse at Lydia Collins. The jury was swiftly ushered from the courtroom and Judge Stanford ordered Krennick to control her witness but she didn’t have a ghost of a chance of calming him down. Fortunately, Joe Landers was thinking on his feet and requested a short adjournment. He briefly explained to the judge that the agent in question working cold cases had been killed immediately
after the Dwyer case and Gibbs had taken it badly.

Upon hearing that information, Krennick insisted Collins had known about the death of the agent and deliberately used the information with the express purpose of distressing Special Agent Gibbs. Of course, Lydia Collins insisted she hadn’t known but Krennick didn’t believe it for a second. It was far too much of a coincidence.

Judge Stanford granted their request for an adjournment for 30 minutes, clearing the courtroom to give them enough time and space to get Gibbs under control. *Yeah, good luck with that!* Besides Alison reflected, the damage had already been done and Gibbs hadn’t answered the question which had been a good one.

*Why in hell wouldn’t he enlist the help of a real field agent who Landers just revealed to her quietly had been a senior supervisory agent with years of experience rivalling Gibbs. Collins would paint it as him being too much of an alpha male and being threatened by the idea of working with someone who was as good as he was. Not good!*

Finally, Joe managed to wrangle Gibbs into some semblance of control, though it had been a monumental effort and the head of the Legal Department looked completely exhausted. They’d also been forced to buy out the entire coffee supplies of the courthouse coffee shop to try to calm Gibbs down but the fact was that for the rest of the cross examination, he was surly and uncooperative with Collins. However, while he wasn’t creating a good impression with the jury, at least it was better than his yelling at the plaintiff’s attorney.

Still his testimony was below par following the melt down. Collins got in some good hits such as, “What did you say to Probationary Agent Todd when she read you in on the failure to capture Kevin’s dad?”

Gibbs looked furious. “Say?”

“Yes. You have a reputation for ‘tearing agents a new asshole when they screw the pooch,’ and you proudly tell people the second B in Gibbs stands for bastard. You don’t hesitate to point out your subordinates’ flaws or your superiors if it comes down to it. What did you say to her when she told you she’d dropped the ball and let Curtin escape?”

“Nothing.”

“Nothing. Okay, so what disciplinary actions did you take against her failure to follow procedure and properly check out the house after she heard a disturbance. She aborted investigating the disturbance when she found Kevin in the kitchen. Wrongly assuming it was Kevin who’d been the source of the noise after all. Then she let Curtin overpower her. So, what did you do?”

“Nothing.”

“No disciplinary action, no black marks on her record?” Shaking her head in amazement she continued. “What about the fact that Curtin took her service weapon off her? Surely you had SOMETHING to say to her about that?”

“No.”

“No? I can’t believe you could turn a blind eye to that. You whack your second in charge, Anthony DiNozzo over the head when he makes a joke about your eyes sight. You tell him if he’s late you’ll sack him. You tossed an agent off the team because she looked at a mark for a few seconds too long and tipped him off to a sting. Yet you refuse to do anything when Agent Todd screws up badly – in
this case by having her service weapon taken off her, despite her hyped Secret Service training. Her personnel file shows that despite her considerable number of screw ups, very serious blunders, there hasn’t been a single correction recorded. How do you justify that, Agent Gibbs?”

“I did correct her. I glared – she knew I was pissed off.”

“Oh well, if you glared at her that’s okay then.” Lydia said with great irony as she performed a massive eye roll to the jury that would do a teenager proud. “Frankly, Agent Gibbs, your claims to having high standards for admission onto your team and specialised training methods to make them better qualified is looking a tad exaggerated, won’t you’ll agree?”

He glared before barking at her, “No I don’t.”

“Honestly? So, if she’d really screwed the pooch and oh… I don’t know, maybe managed to get someone killed instead of just causing massive and costly property damage, or only losing her firearm and a child being severely traumatised, then I suppose you would have slapped her with a pilchard or if you were really pissed maybe it was a halibut? Oh wait, she DID screw up and people DID DIE but you didn’t even counsel her because and I quote, ‘nothing you could say to her would make her feel better.’ Do I have that right?”

“Close enough,” Gibbs growled, clearly annoyed by Collins and her questions.

“Wow! No consequence for two people dying and you are worried about the person responsible feeling bad. People died – she should have felt bad. But you don’t have the same compunction about making Agent DiNozzo feel bad. You whacked him over the head only hours earlier than that for joking around. Can you tell the court, Agent Gibbs, are you sleeping with Probationary Agent Todd? Isn’t that why she gets away with such incompetence?”

“No, damn it - I’m not sleeping with her! Rule number 12.”

“Could have fooled me!” Collins quipped cynically before gesturing to the Judge. “My apologies, Your Honour. I withdraw my last remark.”

As Collins started winding up her cross, Alison was considering resting since Gibbs was their last witness and even though he’d stuffed up big time, Krennick wasn’t sure that there was anything or anyone she could call that made up for the damage done. Collins had unfortunately raised some very pertinent questions and Gibbs didn’t answer them satisfactorily – maybe because Collins was right.

Their plan to rest their case after Gibbs cross examination flew out the window when Lydia told the judge that they had finished with Gibbs for now but they reserved their right to recall him to the stand at a later point. That was Alison’s first hint that Collins had something else up her sleeve. Something big. Something that would be even more injurious to NCIS’ case.

So, the very least she could do was redirect and try to explain Gibbs meltdown on the stand to the jury. She just needed to be careful that she didn’t set him off again. Alison rose and approached Gibbs in the witness box.

Looking across at the jury she asked him. “Special Agent Gibbs, isn’t it true that the reason you became distressed and required a break from testifying earlier was because Special Agent Christopher Pacci – the agent mentioned by Ms Collins as the agent dealing with Cold Cases was murdered in horrific circumstances.”

“Yes, he did.”

“You knew and worked with him a long time.”
“Yes.”

“He was a friend?”

“Yes.”

“So, it’s fair to say that his death hit you hard, didn’t it?”

Gibbs took a deep breath. “Yes, it did.”

Landers scribbled something furiously on the legal pad and scooted it across the table toward Krennick. She glanced at it and nodded subtly to her second chair to let him know she understood. “Why was that?”

Gibbs looked grief stricken. “Because he asked for my help and I was too busy working on another case. Maybe if I’d given him backup he’d still be alive.”

“My condolences for your loss, Special Agent Gibbs.” She replied before sitting down again.

Krennick looked across at the jury and saw them soften towards Gibbs a little. She was reassured that she’d done all she could do to explain his behaviour to the jury. Was it enough? Honestly, she didn’t know.

She was also concerned why Collins had reserved the right to ask Gibbs further questions. It sounded like she had caught him out in a lie. That suspicion was given added weight at the end of Krennick’s redirect, when the judge decided to adjourn for the day and Lydia dropped her second bombshell. It was notification that the plaintiffs were seeking leave to call an additional witness who was not on the witness list.

Looking at the name of the new witness – an NCIS Special Agent Lara Macy, Landers shrugged, throwing in raised eyebrows, indicating that he was as much in the dark as she was. Alison objected, stating that they had no warning of the plaintiff’s intention to call this witness or chance to prepare for them.

Collins responded that she’d only decided to call Macy as a rebuttal witness after hearing Gibbs testimony. The judge allowed it, but warned that he wouldn’t be so lenient if she tried springing anything else out of the blue.

As they adjourned for the day, Krennick began to interrogate Gibbs about who Lara Macy was and why she was being called, only to have him blow up again.

He shouted at her in anger, “That bitch!” Before storming out. To be honest, she was unsure if he was referring the mysterious Special Agent Macy or Lydia Collins, the plaintiffs’ lawyer. Either way - this wasn’t good.

Meanwhile, Joe had been on his cell phone to his young protege, ordering her to gather as much information as possible on the witness and to have it available by the time they arrived back at the naval yard. Then he called Director Morrow to give him a sitrep on what had just happened.

Arriving back at NCIS, Joe was informed that the Director wanted to see them ASAP so they reported upstairs, finding Tom Morrow and Michelle Lee waiting for them with grim expressions. They had several files on Lara Macy – her NCIS personnel file and the one from her service as a Marine Lieutenant in the Military Police. Not too much of a surprise that she had been in the Corps at the same time as Gibbs, although he left the Marine Corps and joined NCIS or NIS, as it was formerly known as, several years before she did.
Looking serious, Director Morrow informed them he’d already dispatched Special Agent DiNozzo to fly down to Los Angeles in SecNav’s private jet to interview Macy and find out what the hell was going on.

“There’s been a clean-up in the records and I have Douglas Jones in Cyber trying to figure it out. So far, we’ve discovered that Gibbs had a wife and daughter who are deceased. So, I have a call out to his NIS team leader Mike Franks, who’s retired to Mexico, to see if he knows what this is all about. Plus, I’m tracking down my predecessor, Robert Morton to see if he can shed light on this… whatever it is. Someone went to a lot of trouble burying whatever the hell Collins has dug up and I’m hoping Franks knows something, since Gibbs is obviously not talking.”

Joe looked stern. “Whatever it is, I think we can conclude that it is not good for the case.”

Epilogue: 12 months later

Director Morrow watched the SecNav departed his office and he sank back in his chair, mentally exhausted. He contemplated all the changes that necessity had thrust upon them in the past year. It had been an extremely difficult time for NCIS.

The former SecNav had resigned not long after DiNozzo had returned from Los Angeles with Special Agent Lara Macy in tow. Tony hadn’t even needed the full five hours that the flight took from the west coast back to DC to worm every last detail out of her regarding her connection to Gibbs. Although, as Tony pointed out, knowing she was either going to have to perjure herself or confess up, it hadn’t been that much of a challenge for him to learn the truth.

It was obvious though that while it might not have been difficult for him to learn the truth, what she had to say had been very hard for him to hear. DiNozzo was ashen faced as he escorted the chastened NCIS agent up to Tom’s office. Even though they’d been there until midnight and it was now 0630, no one had gone home. Everyone chose to find somewhere on the Navy base to grab a couple of hours sleep instead, while they waited for the two agents to return from the west coast.

Both attorneys, Lee and Tom had recognised the case was in crisis, although no one had any idea how incredibly dire the situation was until Macy had come clean about Pedro Hernandez.

And the truth, once it was out there, was ugly and horrific. Leroy Jethro Gibbs had killed Pedro Hernandez, the man NIS suspected of firing the shot which killed their agent, Special Agent Mitchell who was protecting the gunnery sergeant’s family. His wife, Shannon Gibbs and their daughter Kelly, were being guarded by NIS because she’d witnessed a murder on base. The shooting of the agent by the killer resulted in Mitchell crashing their vehicle, causing the tragic death of Gibbs’ wife and his eight-year-old daughter as well as his own.

Special Agent Michael Franks had been the supervisory agent in charge of the protection detail for the Gibbs family and he’d given Gunnery Sergeant Leroy Jethro Gibbs the Intel he needed to track down and despatch Pedro Hernandez. Tom recognised that he had probably done so because of his desire to avenge Mitchell’s death as the agent been part of Franks major case response team.

Although Morrow could empathise at his anger and grief, they’d sworn an oath to uphold the law - not break it by become gunslingers chasing down vendettas. As law enforcement professionals, they were held to a higher standard of comportment, although even for the average citizen, revenge was not an acceptable mitigation for murder.

So, anyway, armed with the intel on the man that Franks believed to have killed Shannon and Kelly Gibbs, the then gunnery sergeant had travelled down to Mexico. There he’d taken out Hernandez, a member of the Reynosa Cartel with all the efficiency of a Marine trained sniper with his trust sniper’s rifle while he was on compassionate leave from the Marine Corps.
Franks then turned around and calmly hired Gibbs to work as an investigator at NIS, the agency’s predecessor, knowing full well he’d committed premeditated murder.

Lieutenant Macy had been assigned by the Marine Corps Military Police to investigate the fact that one of their own was the chief suspect in a conspiracy to commit first degree murder. She’d soon realised that although Gibbs had killed Hernandez, that Franks was in it up to his neck too. She admitted to Morrow that she’d been placed under extreme psychological duress from both Franks and Gibbs to drop her investigation and their hostility and failure to cooperate had taken its toll on the impressionable young Marine lieutenant. She’d finally concluded that Gibbs had suffered enough with the loss of his whole family and buried the evidence that would in all likelihood have seen him face the death penalty.

They all knew this information was explosive and had the potential to destroy far more than their chances of winning a penny-ante little law-suit. This was the equivalent of a huge black hole threatening to suck in everyone and everything that came anywhere near it.

Once Sec Nav was informed of the enormity of what they were dealing with, it became a massive and urgent case of damage control. He also became the first casualty to be sucked into the Black Hole, strongly encouraged by TPTB to resign.

Following his ‘resignation’, their first step was to settle the Dwyer’s law suit which had brought the whole mess to light. Since they couldn’t afford for the fact that three former Marines (and federal agents) had been involved with a premeditated murder to come to light, at that point of time, Tom had no choice but to settle the law suit immediately. Ironic since he’d wanted to settle when it first arose and been overruled by the newly retired SecNav.

Captain Krennick and Joe Landers had prepared an airtight confidentiality clause into the settlement to ensure Lydia Collins didn’t speak about what she had learnt. Apparently, her whistle blower was one of Macy’s former fellow MPs who’d wondered out loud if the Marine lieutenant had been persuaded to drop the murder investigation suddenly in return for being given a cushy gig at NCIS. While that wasn’t the case, it had been a reasonable assumption, all things considered.

So, that leak needed plugging too.

Dealing with Gibbs was easy on the one hand and extremely difficult on the other. Gibbs had committed first degree murder while he was still a US Marine, and Mike Franks while a sworn NIS agent, had committed conspiracy to commit first degree murder and then helped to conceal it. Both were extremely serious breaches of the law, more so for a law enforcement professional. Making matters worse, Franks had knowingly hired a murderer to work beside him to hunt down other law breakers, another serious breach.

This information had inevitably sparked another separate investigation into how Mike Franks had managed to bypass all the internal checks and balances that should have been triggered, when the husband and father of Shannon and Kelly Gibbs, who’d died in NIS protective custody, was appointed to the same team who’d been tasked with their protection. As was the fact that he was the chief suspect in the murder of Hernandez who was also suspected of being involved in their death. That hiring should never have gotten past the HR department – and yet it had.

Tom, closing his drawer and seeing DiNozzo’s personnel file on the top of the pile of other personnel files was reminded of the exhaustive security check Gibbs had insisted that Chris Pacci conduct on Tony’s background before Gibbs would hire him. How damned much of a hypocrite did that make Gibbs, a cold-blooded murderer refusing to hire a cop unless he was squeaky clean and not a security risk. What a damn joke!
And aside from the fact that there was some serious corruption to address, and not just by Macy, Gibbs and Franks, there was the bigger picture which the Judge Advocate General, Admiral Chegwidden had immediately zeroed in on. Had Franks and Gibbs conducted a Star Chamber during their time together as federal agents, and had Gibbs continued to mete out his own ‘special’ form of justice after his mentor retired to Mexico?

All these factors had left them with a huge moral dilemma. Should they arrest Gibbs and throw the book at him, or extradite him down to Mexico to face the consequences of his actions. Most if not all, of the brains trust wanted to do just that, believing he deserved to enjoy some Mexican hospitality, but surprisingly it had been the Judge Advocate General, A.J. Chegwidden who had been the dissenting vote. He pointed out that once word got out – and it would, every single case that Gibbs or Franks had handled in their careers as federal agents would immediately be tainted by association. Even these one which were righteous convictions. Attorneys would be crawling out of the woodwork demanding acquittals and retrials going back at least fifteen years, if not longer.

In the end, it was decided to form a special taskforce and eventually Brigadier General Gordon Cresswell, was appointed to chair it and Lieutenant Colonel Sarah McKenzie was seconded to serve on it too. Both were proud Marines who had been singled out because they were well-known for holding their fellow Marines to a higher standard of conduct. It was felt that they wouldn’t try to sweep what had occurred under the rug, or minimise the seriousness of what Franks, Gibbs and to a lesser extent, Lara Macy had done to pervert the course of justice.

The task force was to remain ultra-secret to prevent the military and non-military legal systems being overrun by, not only cases from people who may be innocent and wrongly convicted by Gibbs and Franks tampering with evidence, but also sleazy opportunists and their lawyers, who smelt blood in the water. The aim of the taskforce was to re-examine, and if it was deemed necessary, to re-investigate every single case they’d worked, especially together but also separately too. It would if necessary examine every piece of evidence worked by either agent and the taskforce could recommend that any convictions which had not been gained legally be retried and/or worst-case scenario, dismissed.

Meanwhile, Admiral Chegwidden had planned to retire as the Judge Advocate General in the not too distance future. His departure had been moved up so he could take on the role of the new Secretary of the Navy. Biff Cresswell had long been touted as being the next JAG after Chegwidden retired, since many advocates asserted it was past time to give the top job to a Marine. However, when the scandalous Hernandez situation had come to light, TPTB believed the Corps didn’t deserve the honour of the Top Dog position of JAG and appointed yet another Admiral to the jewel in the crown role.

At first, A.J. Chegwidden had been very reluctant to accept the post of SecNav, never having political aspirations, he’d looked forward to spending time with his daughter, Francesca. Though, with the mess that the Marine Corps and NCIS found themselves in, thanks to three former Marines/NCIS agents (Macy, Gibbs and Franks) he’d been persuaded that they needed a SecNav who wasn’t a political animal. They required someone committed to fixing both institutions, especially if word leaked out about the three corrupt individuals in their midst.

Furthermore, Chegwidden already understood how important the joint task was going to be in helping to avoid judicial chaos – it was after all, his recommendation it be formed. As a former navy SEAL and lawyer, he also had an admirable array of experience, knowledge and abilities that would be very advantageous to the job. Tom was looking forward to working with him to straighten out the agency – neither man was a fan of letting personal or political aspirations interfere with doing their jobs.
The taskforce had garnered a lot of support from the big guns, including SecDef, the Department of Justice, the Attorney General and even The Big Guy up on The Hill, who were desperate for it to succeed. It had been given enormous resources and the personnel were the crème de la crème, consisting of the best investigators from all the alphabets, plus a top notch dedicated forensic lab and scientists to investigate evidence. All sworn to secrecy of course.

Originally, Anthony DiNozzo had requested an immediate transfer to Internal Affairs, having been utterly shattered to learn that his mentor at NCIS was a murderer and a hypocrite, chasing down and locking up people just like himself for being less successful murderers than he was. Tom had only found out belatedly that the reason for DiNozzo’s departure from Baltimore PD had been a dirty cop. With Gibbs’ betrayal of his oath, it had left a bitter Tony, hurt and highly disillusioned.

Tom could certainly understand his agent’s motivations in wanting to transfer to IA but he was worried about DiNozzo, who craved social interaction like most people needed oxygen. The director was genuinely afraid he would quickly end up destroying himself as an AI cop, policing other cops. Transferring him to Internal Affairs would be about as stupid as assigning him to become an agent afloat where he was the only cop aboard a ship with 5,000 Marines and sailors all seeing him as the enemy. It would break his spirit and ultimately, he would resign.

So, he’d suggested that DiNozzo work for the taskforce and make sure that no innocent person remained incarcerated due to Franks and Gibbs gut feelings or shortcuts.

Tony had muttered something along the lines of Gibbs’ rule # 45 clean up your own messes although Tom thought that most if not all the cases that might be questionable would have occurred prior to DiNozzo joining the team - Tony being a by-the-book former cop. Clearly, he still felt compelled to clean up the mess that his former supervisor left behind and he was now a hardworking member of the taskforce.

Tom had also been planning to leave NCIS and head to the Department of Homeland Security but had resolved to stay on, at least until NCIS had cleaned house and he’d set in train the systems to ensure it never happened again. He was hoping that once they’d cleaned up Franks and Gibbs mess, he’d be able to take DiNozzo with him when he left. If he refused to move to DHS, Morrow would try to convince him to step into the MCRT team leader position, although Morrow admitted that he wasn’t sanguine about his chances of staying at NCIS.

Meanwhile, SSA Dwayne Cassius Pride was TAD for the MCRT, tasked with training the new members of the DC team. He was an old friend of Gibbs and had been told, like everyone else, that Gibbs was distraught over the death of Chris Pacci and testifying had literally sent him over the edge, straight into a breakdown. So, he’d resigned and headed down to Mexico to stay with his former boss.

In reality, Gibbs was being held in custody – assisting the taskforce with their investigations and would remain so until a decision was made about charging him. That wasn’t likely to take place until they’d completed their investigations. While it was unorthodox, since he was a Marine Reservist, they’d decided to recall him to active duty and ‘assigned him’ to assist the taskforce with their endeavours.

Meanwhile, Lara Macy had been offered immunity from prosecution, in return for her giving evidence against Gibbs and Franks. Of course, she had been forced to resign from NCIS and prohibited from holding any future positions in law enforcement or the military. Mike Franks had refused to return to the US to answer questions and TPTB had stopped his NIS pension and frozen any US bank accounts in retaliation, hopefully putting paid to his drinking beer and smoking cigarettes.
He still had his Marine pension – it would create too much publicity to try to stop that, unfortunately. Which they couldn’t afford, at least at the moment. Later when they had cleaned up the mess left by the former Marines – well all bets were off!

Tom had daydreams of sending the Mexican government an anonymous tipoff that the man responsible for organising Pedro Hernandez’s death was living right under their noses. Failing that, he could arrange for the information to fall into the hands of the Reynosa Cartel – although that would make him little better from a moral standpoint than Franks. No, he’d work on legal means of luring the old bastard back to the US and throw the book at him.

Finally, Caitlin Todd had been transferred off the MCRT to give Pride a chance to rebuild the MCRT from scratch. Although Tom would have been happy enough getting rid of her completely due to her previous screw ups, he was dismayed to discover that Gibbs hadn’t bothered to correct or document any of her mistakes. He’d also effectively blocked Tony from training her by telling her that DiNozzo didn’t get to tell her what to do. That wasn’t the case since he’d been the senior field agent and her immediate superior, but regardless, if he was wasn’t going to allow DiNozzo to train her, then Gibbs should have manned up and done it himself.

Unfortunately, what Gibbs should have done versus what he had done were two very different beasts. He’d seemed unfathomably happy for the most part, to let Caitlin Todd do as she damned well pleased. So, the bottom line was that Tom couldn’t fire her for things she’d done wrong yet never been disciplined for. Well he probably could have found a way to do so – she was still probationary agent but the last thing that they needed was her to sue them when they were trying to keep a low profile until the task force completed its work.

After much soul searching, Morrow had decided to send her to Balboa’s team to complete her training, although that hadn’t worked out too well. Thanks to her ‘training’ courtesy of Gibbs, she’d struggled even though her new team leader was fairly lowkey and innovative. But he was no pushover either!

Unlike her previous supervisor, Balboa didn’t cave to her when she played the discrimination card every time she was asked to do jobs she felt were beneath her. Her reluctance to gas the truck, dumpster dive for evidence or collect evidence from environs which were dirty or gross didn’t win her any fans from her new teammates. They forced her to follow orders and complete the task anyway, unlike DiNozzo, who had simply shrugged and picked up her slack and the unpleasant probie work, knowing if it wasn’t done he’d be the one to get the head slap, not Cate.

On her new team, there’d been another profiling debacle where she identified strongly with the killer. She’d let him escape after he’d flattered and flirted with her, managing to persuade her he had an urgent medical appointment. Meanwhile she’d wrongly decided that the killer was his superior, a rough and ready, crassly outspoken chief petty officer. No one was all that surprised that she handed in her notice soon afterwards, especially since Balboa and his SFA delivered a stinging but clinical dressing down that made her very much aware of her shortcomings.

Picking up the file, the Director studied the statistics for the taskforce to date. To date, they were 47 percent of the way through all of Franks’ and Gibbs’ cases and had already found eight individuals who appeared to have been convicted on dodgy evidence. Some were based purely on Franks’ and/or Gibbs’ eyewitness testimony, making it necessary to reinvestigate and retry them. But much more concerning, Tom thought, there were three cases found where the wrong person…a completely innocent individual appeared to be convicted.

Most of the eight cases who’d been convicted on dodgy evidence were not exactly law-abiding citizens… many had rap sheets a mile long. So, Tom wasn’t devastated to discover that they’d been
convicted wrongly, or stitched up for another crime. Furious yes but in Gibbs’ parlance, they were all dirt bags, career criminals who probably deserved to be thrown in prison. Manufacturing evidence or giving false testimony to send them away though, well that threaten all the cases they’d worked, where criminals had been convicted by the book.

Yet, as bad as that was – and it was bad - the idea that innocents were being wrongfully convicted was unspeakable. Tom was willing to let ten criminals go free rather than let one innocent person be wrongly committed and thrown in jail and yet three people so far appeared to have been wrongly incarcerated but were law abiding individuals. All because Franks and Gibbs felt they were judge, jury and cops.

The disturbing thing was that Jethro or that arrogant old fool Franks, still couldn’t see that what they’d done was fundamentally wrong and highly offensive to the USMC - it demanded a far higher standard of conduct from its Marines than that of the average citizen. A standard they had singularly failed to uphold. The pair and Macy for that matter, had brought the entire Corps into disrepute and those unlucky few who knew the truth were far from happy about it.

Meanwhile, Dr Sciuto was walking an increasingly fine line towards dismissal and she was blithely taking her current toy boy along with her. Tom was becoming increasingly concerned and frustrated with her because of her refusal to stop trying to contact Gibbs and demanding to know what DiNozzo and the joint task force were investigating. Her insistence on uncovering the classified information was about to get her terminated for illicit computer hacking. She and her boyfriend, Probationary Agent McGee, who had been given a slot on the financial crimes team about four months ago, weren’t anywhere near as clandestine as they liked to imagine they were. Every step they took had been monitored and documented by the spooks responsible for maintaining security for the whole operation.

Frankly, TPTB were ready to toss them out on their butts and make sure they were blacklisted from working in law enforcement in the future. Tom was very aware that Timothy McGee would not have been digging around trying to find out about Gibbs, DiNozzo and the taskforce if not for the negative influences and encouragement of Dr Sciuto. The fact remained however that he was far too easily influenced into breaking the law by a pretty female offering him sexual favours in exchange for his hacking. That was not a trait that a cop or a federal agent should aspire to and in the light of the current corruption scandal they had zero tolerance for that type of thing.

Unfair as it seemed, he was a security risk that NCIS and the justice system simply couldn’t afford. Despite their undeniable talents, both had character traits that made them unsuitable to work in a federal agency. Just as Gibbs had discovered, no single individual was more valuable or important than the laws they were supposed to uphold.
Dead Man Walking: In Plain Sight

Chapter Summary

The tag takes place after the MCRT has apprehended Special Agent Chris Pacci’s killer.

Chapter Notes

Thanks to everyone who commented. The overwhelming majority of people who expressed a preference wanted each tag to be posted in one chapter, despite the length. This chapter is roughly 20,000 words so you might want to make a cup of tea/coffee and snacks while you read it.

Confession time - I’m anxious about this tag. This whole episode didn’t sit right with me. First off, I hate that Pacci was killed. I think he would have made a great character. Aside from Pacci dying, the lack of respect exhibited by two main characters towards a trans*gender person has always made me mad, sad and extremely uncomfortable. Trans*gender people and their struggles are very real and their situation should never be used to get cheap laughs. I cannot even begin to imagine what they go through, so it felt very presumptuous to be writing trans*gender characters.

I also need to point out that I started writing this tag quite some time BEFORE President Trump decided to ban trans*gender people from serving in the military. This is not about being topical or jumping on a political bandwagon. It has to do with raising awareness and creating empathy by hopefully encouraging readers to try to put themselves in someone else’s shoes, even if most of us cannot ever really know what it feels like to be trans*gender.

It should go without saying, if you have a problem with the subject of trans*gender people, then you should definitely give this tag a miss.

I also must strongly warn readers that there is hate language used within this story that many people find offensive - I know I do, but I also believe it was necessary to make a point. Still it makes me extremely uncomfortable writing it. It in no way reflects my own personal views at all - having family members straddling four continents.

Big thanks as always to my BR and good buddy Arress for the beta, her eagle eye and her encouragement.

See the end of the chapter for more notes.

Series: There’s Always Tom Morrow
Episode: Dead Man Talking

Title: In Plain Sight

Characters: Tom Morrow, Jethro Gibbs, Tony DiNozzo, Caitlin Todd, Timothy McGee, Janet Watkins (OC), Cassie Yates (SWAK) Will Dobbs (Meltdown & Ice Queen), Gabriel Axelrod (Yankee White) Laurena Hays (OC), Johan Sorenson (OC) Epicene Fuentes (OC), Oriana Sinclair (OC)

Warnings: This story is about trans*gender individuals so if you have a problem with the subject matter then DO NOT read this tag! Also there is use of hate language – both racial and sexual.

Director Morrow watched as Special Agent Tony DiNozzo took off, barrelling into the elevator, anguish etched across his face as laughter accompanied his exit from the bullpen. Looking at Probationary Agent Caitlin Todd and the rookie agent from Norfolk, Timothy McGee, who were laughing their asses off over DiNozzo kissing a suspect who happened to also be a trans*gender, he frowned disapprovingly. Not that he was the only one bristling at their actions either.

He was in the process of organising grief counselling for the staff – Pacci was a much-loved fixture at the DC office and was going to be sorely missed. Not just with the field agents but the rest of the staff too. After all, he’d worked at the agency for over fifteen years. Hell, Tom was going to miss the unobtrusive agent dreadfully. Chris had been the glue that held the office together, always prepared to dive in and work where and when needed in an emergency. Always ready to lend an ear to inexperienced agents and full of sage advice for those colleagues who were smart enough to listen to and learn from him.

There was a pall around the office that was tangible. Pacci wasn’t a flamboyant character, but he was a loyal, caring, and very competent agent. He was also an excellent trainer of probationary agents and while he wasn’t the charismatic type, Tom thought he was worth just as much, if not more than his flashier colleagues.

So, it made him angry that Todd and McGee would show such little respect for Pacci’s service by joking around about his killer. He didn’t expect his people to don sackcloth and ashes and he understood how dark humour could provide a much needed relief valve in their job, not to mention the power that laughter had to heal. What he had trouble with though was the disregard that they showed to an agent – a senior supervisory agent who’d given up his life to defend the laws he’d sworn to uphold – and his colleagues.
Yes, Tom knew that they were junior agents and that neither of them had known really known Chris, but that wasn’t an acceptable excuse. First off, although Caitlin Todd was still a probationary agent, she had worked as a federal agent in the Secret Service for years, as she was so fond of reminding everyone. Even if she hadn’t personally experienced the loss of a colleague whilst working there, she had enough experience under her belt as a law enforcement professional to understand the gravity of the loss to the agency. In particular, to those who were close to the fallen agent and therefore show some respect.

He was also surprised at McGee’s lack of respect to be honest. After all, he had been working for Chris when he was killed. He’d have expected the newbie, barely out of FLETC and with little in the way of field experience to be hit hard by Pacci’s very bloody and horrific death. Particularly as it was his first experience of the death of a fellow agent. It wasn’t as if he’d come from a background that prepared him for violent death, growing up on Navy base housing as opposed to a kid brought up amongst urban crimes and gang wars where life was cheap.

In some ways, the first death of a fellow law enforcement colleague was usually highly impactful - traumatic even. Some might say it was analogous to so-called medical student syndrome where a student started studying diseases, they often imagined they had various exotic and serious diseases. In the case of rookie agents and cops experiencing their first death of a colleague, it was the sudden realisation that it could so easily have been themselves that had died, forcing them to painfully face their own mortality.

“Had a gutful of those two jerks and their inappropriate jokes.” Agent Kerry Barnes mumbled to Balboa’s SFA, George Elias.

“Know what you mean. I’d like to put both of them over my knee and spank ‘em and I don’t even do that to my own kids. But I swear that if they don’t knock it off, I’ll seriously consider it.” The darkly saturnine agent vowed grimly.

Will Dodds nodded his agreement. “It ain’t no joke man; those two jokers need to grow the fuck up. And Todd is always beating on DiNozzo for being a juvenile frat boy.”

Tom sighed, hearing the muttering from the other agents around the bullpen. They were angry that the two very junior agents investigating Chris’ death thought it was such a hilarious situation that DiNozzo was kissing his killer while undercover who’d turned out to be a trans*gender woman. One who, more importantly, had been a multiple murderer and an embezzler. Plus, DiNozzo had been glassed and knocked unconscious when Reed realised the jig was up and called in her drinking cronies for assistance. It was damned lucky he hadn’t ended up with a fractured skull or worse, seeing how Pacci had been killed. What a FUBAR mess.

Heading up to his office, he picked up his phone and placed a call. Frowning when the answering
service picked up his call, informing him that the doctor was with a client, he left a message to be called back. He poured a coffee and started working on a monthly budgetary report. Knowing that his wife would be expecting him home, he decided to head off when his phone rang and he answered it.

“Tom Morrow.”

“Director Morrow, this is Dr. Janet Watkins, returning your call. I’m sorry but I was with a client when you called earlier. How can I help you?”

“I understand that you do consultancy work for federal agencies?” he asked Watkins. He’d done his homework and learnt she was a psychologist in private practise who specialised in working with law enforcement professionals.

“To what end, Director?” she enquired calmly.

“Our DC office lost a highly esteemed senior investigatory agent a couple of days ago. My major case response team has just closed the case and due to the nature of his death, I feel that we need to provide counselling for our staff, field and office personnel.”

Janet considered what he’d said for a good while before responding. “I’m confused. Why me? You have your own in-house psychologists, don’t you? Why not have them conduct the grief counselling?”

“Well, partly because I think we need to offer counselling to not only the field agents and analysts, but all the support and administrative staff. I think we might need a team of grief counsellors, but there are also a few other complicating issues that I’d like to consult you about,” he explained. “I think that with your background, it would provide a unique perspective on dealing with our tragic situation and I was thinking that it might be best to design a program that addressed all the issues at once.”

“All right, you have my interest. How about I swing by NCIS early in the morning, say 7.30? We can discuss these other issues and I can decide if I’m the right fit for your needs,” she offered, her New Jersey accent subtle but discernible. “Or if that time doesn’t work, I could…”

Tom interrupted, “That would be fine, I appreciate you making time to see me.”
Heading home after resolving to spend time on his report tomorrow, he thought about all the good things he’d heard about the psychologist. She was a former cop who’d been wounded on the job and needed to find a new profession. Watkins had a reputation for not taking shit from the cops and agents that she specialised in working with, but was also highly relatable because she had insight into their job and mentality. The only negative was that she was in private practice and despite a number of offers from several of the larger agencies, had no desire to join them.

Tom had heard that she had some quite innovative ideas – although possibly too ground-breaking for the larger more conservative agencies who were generally more set in their ways.

~o0o~

Caitlin Todd was irritated. “Why does DiNozzo get out of going to HR training?” she whined, feeling frustrated.

“Gee, I don’t know, maybe it’s because I have to attend my mandatory counselling,” Tony retorted wryly.

“Ah, that’s right. You got clobbered by the he/she commander after he had his tongue down your throat, probably because you were such a crap kisser. Bet he wouldn’t have been quite as eager if he known how much of a man-slut you really were.” She laughed sarcastically, especially when he grabbed up his gear, stomping off in disgust at her jibe.

He didn’t even bother correcting her misstatement that Amanda had hit him. It was one of the guys in the bar who’d glassed him, not Amanda.

Watching DiNozzo stomp off in a fit of pique, she smirked in amusement before turning to Gibbs. As usual when he had any free time, he was staring at the never-ending parade of faces flashing across the screen as it searched for a match to the terrorist. He was obsessed with finding the guy who managed to get the drop on him in the shootout during the siege in Autopsy. Cate coughed to attract his attention. “You coming, Gibbs? GIBBS!” she raised her voice.

“What?”

“You coming to the HR training?”
“No,” he replied, without taking his eyes off the monitor.

“It’s mandatory.”

“Your point, Cate?”

She rolled her eyes. “You don’t have a choice. It’s compulsory.”

“Better get going then, Agent Todd.” He glowered at her briefly before zeroing right back in on staring at the faces on the monitor. “GO!”

Shrugging in defeat, she left him to it. She was still disgruntled that Tony had gotten out of going. Heading downstairs, she made her way to the training room, relieved to see Timothy McGee was there too. Although she recognised familiar faces from the bullpen, Cate hadn’t exactly made friends with the other agents. Apart from Abby and Ducky, she hadn’t bothered getting to know her predominantly male colleagues who seemed to be peeved by her hiring. With Tony and Gibbs absent, she was surprised to see McGee, but pleased to have someone she knew to sit next to.

“Hey, Tim, what are you doing here?”

“Um, hi, Cate. Got an email saying attendance was compulsory.” Taking a seat, he looked around. “Where’s Gibbs and Tony?”

Sitting down beside him she shrugged. “Gibbs is at his desk, staring at that dumb facial array. It’s creepy the way he sits there like he’s in a trance, looking at all those terrorists Sometimes, I feel like screaming at him to stop acting like a zombie and Tony had to go to mandatory counselling for getting beat up by the he/she.”

She exchanged amused looks with Tim as the head of the HR department, Peggy Francis, walked to the lectern at the front of the room, accompanied by a trainer who was wearing a laminated visitor card clipped onto his grey suit jacket. He was tall, blonde, and Cate decided he was cute, but she preferred tall, dark, and handsome to blonde Nordic god, not that she would admit to being so superficial.

Peggy tapped the mic as people settled down and got situated in their seats. “Glad to see so many agents here today. We are going to change it up and focus on some more practical aspects of
teamwork. Today, we’ll be focusing on developing valuable undercover skills. Please welcome your trainer, Johan Sorenson, who is a former federal agent with ATF.”

Everyone had been expecting some touchy-feely sensitivity training, not practical and useful skills, and it was welcome diversion from all the grief and counselling that had ensued after Pacci’s death. Polite clapping erupted and as the trainer stepped up to the lectern, Tom Morrow slipped into the back of the room.

“Thank you everyone! Today, we’ll be looking at scenarios that are all about blending into the landscape. You might need to meet a contact in a biker bar, or follow a suspect into a football game. Perhaps you’re staking out a location to catch a suspect and you don’t want to tip them off so they can escape.”

He glanced around at the room at the nods and positive body language from the audience and smiled.

“Undercover work isn’t just about having a carefully crafted legend and some weeks or even months infiltrating a criminal organisation. That’s a highly specialised field and beyond the scope of today’s training. Using undercover skills in your day to day work is all about creativity, spontaneity, improvisational skills, learning to trust your intuition, working well with your team members, and being able to think fast on your feet.”

Great, just my luck that my teammates aren’t here, Cate groaned to herself.

“We are going to look at these attributes along with several others and discuss why they are so crucial to field work. Then you’ll be working as teams to put some of these skills into practice using some common scenarios which require you to utilise undercover skills. We’ll be filming your attempts for assessment and feedback purposes. Plus, for the sake of realism, we’ll be conducting the scenarios downtown amongst real people. “

Cate looked around and saw that a lot of people looked pleased with that news. She had to admit that she was looking forward to showing off her skills. As a Secret Service agent on protection detail when visiting dignitaries or even the POTUS and his wife were making appearances, the ability to merge in with the crowd was critical. Cate was confident that she would ace this training; the only thing that was annoying was the absence of her teammates, but if they were filming it, she would request a copy to rub in DiNozzo’s face. He thought he was the hotshot at undercover, but she was about to burst his self-deluded little bubble.

“We’ll inform you of specific locations prior to the lunch break. You can take anything with you to the drills that might be usefully for the practical training provided that it’s in your locker, desk, your
own car, or personal baggage you brought into work,” Sorenson continued.

McGee stuck up his hand. “Excuse me, Sir, but what do you mean?”

Johan surveyed the audience, before answering. “It’s Johan or Sorenson, Agent, and does anyone want to have a go at answering that question?” He indicated to a female agent in the third row.

Cassie Yates stood up. “Gym gear, scarves, hats, ball caps. Things to help change your appearance or sell you being in the location.”

Sorenson nodded approvingly. “Good answer. Anyone else want to talk about what things might be used to convince the target you are just a harmless member of the public?”

“A rolled-up yoga mat and your gym wear.”

“Casual clothes and a text book on archaeology, fine arts, or anatomy – something scientific or arty-farty. It lets you sit at a coffee shop and look like you’re studying while you keep watch.”

“Carrying shopping bags from specialty shops so you look like you’re on an epic shopping spree.”

“Those are some good answers. You might want to think about other ways to convince people you aren’t targeting them too and we’ll discuss them a bit later. Let’s focus on suggestions for staying under the radar when you aren’t on your own, say you have a partner?”

“Pretend to be doing a photo shoot.”

“Pretend your partner is your lover and you’re out on a date.”

“You could use a video camera and pose as journalists, conducting vox pop interviews.”

“If there’s a generational gap between you and your partner, pose as a parent and child out together.”
Johan had been writing the suggestions up on the whiteboard, but turned around and faced the audience. “Okay, great suggestions. I’m sure that you can come up with a whole heap more and we will give you a chance to do so in groups, later on. We are going to take those four suggestions as the basis of the group scenarios for the practical part of our training.”

The director slipped out of the training room as silently as he’d come in.

~o0o~

Tom had ducked into the training room to check to see if his MCRT team leader had seen fit to attend the mandatory training. Not that he was all that surprised to find he was a no-show. Gibbs wasn’t all that hot on following rules – except when they were his own. Even then, he usually didn’t adhere to them either, although there was hell to pay if his hapless agents didn’t follow them to a T.

Gibbs didn’t have an admirable record of attending staff training at the best of times, but lately he was on another one of his obsessive man-hunts and was acting even more feral than usual. For weeks, he’d had the whole office walking around on egg shells to avoid setting off his legendary hair-trigger temper. No one wanted to be the cause of another one of his tantrums. All because approximately a month before, a terrorist managed to infiltrate security by pretending to be corpse in a body bag and held Dr. Mallard, Gerald Jackson, and Special Agent Todd hostage in Autopsy. Jackson had ended up grievously wounded, Gibbs had a through and through to his male ego when attempting to take out the terrorist, and an FBI agent was killed when the terrorist successfully escaped.

Tom had to ponder about the method the terrorist chose to infiltrate NCIS. It seemed awfully coincidental that it ‘happened to mirror’ exactly how Gibbs had stolen a corpse and with it, pilfered a high-profile case away from the FBI and Secret Service nine months previously. He’d done it by ordering Agent DiNozzo to impersonate a corpse in a body bag on Air Force One and pulling a switcheroo. Was he taunting Gibbs in choosing that method and if so, how had he learned about it?

What was even odder about the siege, even if you put the death of the HRT agent down to heat of the moment, Jackson’s shooting was extremely calculated. But for Donald Mallard’s quick action, Gerald could have exsanguinated and was extremely fortunate to not have lost the limb to the lifesaving measures. And yet, Gibbs ended up with a flesh wound – the terrorist had the means and opportunity to kill Gibbs, who, unlike the FBI agent, wasn’t wearing body armour. It was another anomaly that didn’t sit right with Morrow and he resolved to talk to a profiler - perhaps Jason Gideon or Aaron Hotchner from the BAU at the FBI about the inconsistencies in the terrorist’s behaviour.

Then there was the kick in the guts last week when the agency lost one of its most experienced and skilled field agents, Christopher Pacci. Losing agents was an unpleasant fact of life when you were in law enforcement, no matter how well trained and careful you were, and it always shook up an
agency, especially one as small as NCIS.

Gibbs, in particular, was taking it hard because he’d fobbed Pacci off, being too focused on his own case, on top of his extracurricular obsession of hunting down the autopsy terrorist in his free time. Chris, who’d been without a partner, had ended up murdered when he was unknowingly following the killer who’d become paranoid and killed him.

Pacci had been stuck working cold cases ever since his last probie, Cassie Yates, had begun doing undercover work. Most of the time, cold cases involved a lot of desk and paper work, for instance, re-interviewing witnesses by phone. When field work was required, there had been a tacit agreement that the MCRT would back Chris up, because no matter how experienced an agent was, they still needed someone watching their back. Of course, Chris should have known better than to tail someone on his own, and actually, he did know better. Unfortunately, the cold case was one of his own old unsolved cases which had dogged him for years and, unsurprisingly, he’d developed a massive case of target fixation.

Ironic that his obsession is what cost Pacci his life since it was Gibbs who was the Grand Master of target fixation when it came to tracking down criminals. The number of times he’d gone lone wolf and deliberately run off with no one watching his six, it was a miracle he was still breathing. Poor Chris, Tom lamented. The first time he stuffed up and went off half-cocked, it got him killed.

Of course, the difference between Gibbs and Pacci, aside from Chris having shockingly bad luck, was that when Jethro developed target fixation (which he did fairly frequently), there was always DiNozzo zealously guarding his six. The loyal senior field agent was permanently there, ready and willing to pull his supervisory agent down before he got his head shot off when he got reckless and stuck it up above the parapet. Truth to tell, Gibbs was always in too much of a hurry to wait for reinforcements, or he was too damned much of an alpha type and didn’t want any competition on his bust. However, DiNozzo was a professional and he would call in backup when it was warranted. Chris was normally a level-headed agent and, like DiNozzo, he was usually one to recognise the need to call in reinforcements.

Still, there was another reason Gibbs had rebelliously refused to attend staff training today – he was seriously pissed off with Tom and was sulking like a ten-year-old. If he wasn’t throwing enormous tantrums, then he was acting passive-aggressive, especially with the cold shoulder routine. Plus, Jethro really didn’t like to share and avoided groups whenever possible. Tom wasn’t sure if that was because he had the emotional maturity of a ten-year-old or was a result of only child syndrome, although DiNozzo played well with others and he was an only child too. So, perhaps not.

Finding Gibbs predictably hunched over that damned photo recognition software array, cup of half-drunk coffee in his hand, Tom couldn’t help smirking at the SSA. Jethro was pretending that he wasn’t aware that his boss had him under scrutiny. Pouty Gibbs was always mildly amusing, if not the reason for this latest temper tantrum.
It had all started when he asked Jethro to speak at Chris’ funeral. The divorced agent, whose only close relative was his elderly frail mother who was in a nursing home, had no one else stepping up to organise his funeral. To all intents and purposes, NCIS was his family and since he died on the job, it was a no brainer they should organise a fitting send-off for him. Especially since in his will, Chris has left clear directions about what he wanted, a simple send-off that included an Italian style wake as a nod to his Italian heritage, although Chris was American down to his bootstraps.

Flashback:

Tom strolled out to the mezzanine level overlooking the bullpen and leaned over the balustrade, watching Gibbs standing in front of the plasma listening to his team deliver a sitrep on Agent Pacci’s death. Waiting until it was completed and Jethro issued orders in his usual highhanded manner he called out.

“Gibbs, I need to see you in my office, now!”

When Gibbs appeared, scowling, he offered him some of his good coffee. Although the glare became more of a grimace as the coffee soothed the fractious beast, um, agent, it was still obvious that he was chomping at the bit to get back to the hunt for Chris’ killer.

Sighing sadly, Tom decided to not bother with the preliminaries. “Pacci left detailed instruction for his funeral. His only close relative is his mother who is frail and residing in a nursing home in Silver Springs. I told her that I would make all the arrangements for Chris’ funeral as she is too ill to do so.”

Gibbs winced and stared out the window, wishing Morrow would get to the point. Yet when Tom did, he was not prepared for the request which blindsided him.

“Pacci and you go back quite a few years, Jethro. He requested you give the eulogy at his funeral.”

Gibbs blanched, looking like he was on the point of throwing up or shooting someone. His face portrayed his utter dismay, as he shook his head. “Nope, not gonna happen, Tom. I can’t!”

“Gibbs…” Tom began to speak, but Jethro interrupted.
“No. I said no! It wouldn’t be right. I fobbed him off when he wanted to discuss the case with me. I was too damned busy trying to locate an escaped ex-SEAL who wasn’t a killer and Pacci was following some woman who he was hoping would lead him to a killer, with no idea that she was the one he’d been searching for all those years. I was too busy and I ended up being the reason he died. Should have backed him up.”

Morrow rubbed his hand over his face, trying to stay calm and sympathetic. The truth was that Gibbs had been obsessed lately, overeager to clear cases so he could go back to brooding over the one that got away – the terrorist who held NCIS siege. Apparently, Pacci had tried to get Gibbs’ opinion on the Commander Voss case because he felt he was missing something. Gibbs and Pacci had tended to work well together over the years, watching each other’s back. That said however, Gibbs wasn’t the only team leader – Chris could have requested help from other agents, but obviously, he didn’t realise how serious it was.

He expressed this sentiment to Gibbs, but the stubborn SOB refused to listen to an alternative to the narrative that he had developed. Tom actually thought it would be healthier to acknowledge his obsessive belief that he had to be ‘the one’ to track down their invader was impinging on his ability to function. He was pushing his team to solve cases so he could continue to obsess about the terrorist who shot him and escaped Gibbs’ attempt to take him down was bound to lead to errors and oversights.

It was inevitable because even on a good day, Gibbs pushed his agents to superhuman efforts to close cases. But, Tom mused, you could only push people so far before they started breaking down or burning out.

There was a very fine line between putting someone under pressure to ensure that they performed to their maximum potential and applying just a fraction too much pressure. That could easily create a situation where an underling experienced a permanent state of flight or fight response from the sympathetic nervous system. The end result was adrenal glands which produced a surge of hormones, in particular norepinephrine and epinephrine, creating a cascade effect on other hormones such as cortisol, testosterone, and estrogen, and the neurotransmitters dopamine and serotonin. The effects of being in such a highly aroused state for long periods of time was obviously deleterious to the physical and emotional wellbeing of the individual and moreover, played havoc with relationships outside of the job.

Frankly, Morrow believed it was a most rash way to manage a team. He believed that performance was better achieved by treating the team as a valuable resource, a highly tuned performance vehicle that needed to be respected and managed wisely. A machine which needed regular tuning – to be coddled with premium oils and fuel to enhance performance. Not treated as an old clunker that you flog to death to get as much out of it as you absolutely could before it kicks the bucket and seizes up then leave it to rust in the field. After all, old clunkers (or in this case agents) are a dime a dozen and there’s always more where they came from was not a sentiment he admired.
Jethro had a knack for sucking his agents dry – like Stan Burley - while Chris had sent his probies off into the big wide world of law enforcement as self-confident and mature agents that were highly competent. They were assets to their new teams and passed on all the training to more junior agents. His very last probie, Yates, was quickly earning an enviable reputation in undercover work, while Burley had sworn off working as part of a team, so burnt out from the experience of being SFA on Gibbs’ MCRT, he was hiding out as an agent afloat. Instead of passing on what he’d learnt and leading a team, he was a physical and emotional wreck.

Still, be that as it may, at the end of the day, as obsessed as Gibbs had become recently and as crappy a team leader as he was, especially in terms of his agents’ health, he also didn’t kill Pacci. The killer who they now suspected to be Commander Voss had done that! Seeing the determined set to Jethro’s jaw that spoke of his stubborn refusal to change his stance, Morrow became infuriated. Basically, as the last couple of months’ stress, culminating in Chris’ death, got the best of him, he let rip as he tore Gibbs a new asshole!

“Oh, for Pete’s sake, you damn stubborn idiot. You. Didn’t. Kill. Chris! Stop with the pathetic self-martyrdom. You might have failed to be there for him during the Voss case, but you are NOT GOD ALMIGHTY.

“There were other agents, like Balboa, who would have helped him, or he could have come to me too. Sadly, for him and the agency, he didn’t because he was too obsessed to take the time out. It’s a terrible tragedy, but it is what it is. He requested you speak at his funeral – one final wish. It’s not about you; don’t fail him this time.”

Gibbs remained silent, pig-headed to his last gasp. It seemed that he was mulishly determined not to back down and Tom had reached his limit. “You know what, Gibbs, forget about it. Don’t put yourself out! I was wrong to ask – I thought that there was no such thing as a former Marine. That the Marine credo of Sempre Fi and leaving no one behind was sacrosanct, but I guess you were simply paying lip service to it. My bad!”

Picking up his landline phone, he flicked a look of sheer distain at the veteran agent. “You are dismissed, Special Agent.” Dismissing him mentally, he called back the stone mason to confirm the inscription on Pacci’s plaque. When he finished the call, he noticed that Gibbs hadn’t left – he was standing there like he had a stick up his ass and was giving Tom the lethal death stare that they all knew so well.

“Something else you wanted to discuss, Gibbs? I’m pretty damned busy and you have a killer to track down,” he stated, staring pointedly at the door.

“Fine, I’ll do the damned eulogy, Tom. Ya happy?”
Inwardly smirking because he was feeling rather smug, he shrugged noncommittally. “No, Gibbs, I’m far from happy. I’ve lost a damned fine agent; his killer is still out there. However, I do think that the other agents will appreciate you as a fellow agent and Pacci’s friend giving his eulogy rather than his director. This has hit us all very hard.”

Plus, Morrow honestly thought that it was far healthier option than Gibbs’ usual strategy for coping with grief; a combination of aggressive denial juxtaposed by interim periods of solitary melancholy and volatile pity parties.

End of flashback:

Tom thought back to the memorial service for Pacci that had occurred last week, during the hunt for the murderer. In hindsight, it should have been held later – DiNozzo didn’t get to attend it because he was staking out the apartment and Amanda Reed. Although Gibbs had agreed to do the eulogy, unfortunately, at the last minute, Gibbs had been delayed chasing down a lead on Chris’ murder and Tom was forced to step in and deliver it instead. Gibbs did arrive midway through it though, and had spoken about their years of friendship and his experience working with Pacci. Morrow was right, it had been welcomed by the other agents and staff, reeling from his violent death.

Jethro was still pissed off with him. It seems that his casting of aspersions on his status as a Marine had been neither forgotten or forgiven.

Well tough!

~00o~

Cassie Yates was watching the various pairs completing their practical training. There had been two tasks each pair had to complete, the first one was carried on a busy street full of cafes and boutique shops. Their target had been an unsuspecting member of the public and they’d posed as either journalists conducting and filming vox pops or posing as a photographer and a model on a photoshoot. Then they’d moved to the second location - a nightclub and bar precinct that had a broad range of entertainment venues, once again targeting an innocent member of the public. In this scenario, depending on the makeup of the pairs, they were either posing as lovers on a date or a parent and child out together.

She was glad that the director had insisted that she come today. Honestly, she’d been doing it tough since her mentor and former partner, Chris Pacci, had been killed. The last thing she had wanted to
do was attend a staff training course, especially with Gibbs, although Morrow had assured her the chances of the SSA attending were negligible. Thankfully, he was a no-show. According to his probie, Caitlin Todd, he was glued to his computer searching for the Body Bag Terrorist. Office scuttlebutt said he’d been a real bear ever since the terrorist escaped, wounding him in the process, but that ferocious obsessiveness had been compounded by guilt and grief over Chris’ murder – taking his temper to a whole new stratosphere.

Quite frankly, Cassie had no patience with Gibbs’ wallowing in grief because he put Pacci off when he wanted to ask his advice. Big whoop! Chris was working cold cases without a partner – without HER – because she was ambitious and wanted to work undercover. If she hadn’t been in such a freakin’ hurry with her career, she could have remained with Chris until he’d found someone to take her place. Instead, he was left alone with no one to watch his back, destined to investigate cold cases until he could find a replacement for her. When she wasn’t consumed with guilt and grief, she did wonder why Chris hadn’t taken on that newbie agent from the Norfolk office, Agent McGee, as a probationary field agent. According to him, he’d graduated top of his FLETC class.

Anyhow, coming to training had been good, it was the distraction that she needed rather than brooding about the what ifs and the if only thoughts that accompanied grief. Still, listening to the other agents at the coffee breaks, discussing Gibbs’ angst and anger, Cassie found herself getting pissed off. Really, the way Gibbs carried on with the whole business with the suspected Hamas terrorist who infiltrated the DC office, you’d think that he, Jethro, was the director rather than just the team lead of the MCRT. Seriously, the world didn’t revolve around him, yet he was stomping around acting like a junkyard dog protecting his turf.

If this wasn’t real life, if it was a TV show – the Leroy Jethro Gibbs Show – if he was the titular character, then she could maybe understand everyone focusing on his feelings, tiptoeing around so as not to set him off. But he wasn’t. It was Tom Morrow’s agency, if anyone had an excuse to act proprietary due to all the recent assaults upon them, it was Morrow. The state of mind she was in at the moment, if Gibbs had been here today, she’d have likely given him a piece of her mind since he was acting like Chris’ death was all about him. Probably good luck for all the other agents, especially Tony and Cate, that he’d stayed away – but yet he was such a ‘special petal’, he got to blow off staff training.

Sighing because a part of her knew that Divo Gibbs was getting on her last nerve because she was grieving Chris’ death, feeling like she could have prevented it and she was less able to cope with his crap than usual. Deciding to stop brooding - it was just pissing her off and making her feel worse, she watched as Ted Warren was sent into a gay bar with another male agent, Theo Axelrod. 

*Priceless!*

They would be posing as lovers and were following a peroxide blonde guy who was a regular patron; Agent Warren was not happy about the scenario. Most of the other agents who weren’t running their own drills, either because they were waiting their turn or had already completed their turn, had clustered around the monitors watching, well, watching one pair in particular.
NCIS was filming the drills so that they could be critiqued later as part of the training.

It was common enough knowledge amongst the field agents that Warren was a raging homophobe and he’d aggressively tried to swap assignments, but had failed to convince the trainer, who was obdurate. Johan told him that the task and partner assigned to you was the one that you had to complete the practical assignments with. Watching him and his much-pitied undercover partner, Axelrod, during their assignment – it was obvious that the whole bar had ended up regarding them suspiciously. Frankly, despite Theo’s herculean efforts to behave casually, they stuck out like a sore thumb, Warren’s body language screamed how grossly uncomfortable he was sitting in this ‘den of iniquity’, as he expressed it later during a tirade.

There were smirks and caustic comments since Warren was not one of the most popular of agents. Basically, he was an equal opportunity bigot; he also was a misogynist and a racist, and unfortunately for NCIS, distantly related to SecNav’s wife.

Watching him flounder around, failing the practical exercise was a great form of schadenfreude, helping hugely with staff morale, which had nose-dived with the latest attacks on the agency. Although many commiserated with the luckless Theo, most were very grateful they weren’t him. Being assigned Warren as a partner would have really sucked since he was a jackass! Cassie would have been hard pressed not to kick him in the balls in her current frame of mind and she thought Theo deserved a medal.

When Warren demanded a redo, playing the SecNav card, Johan Sorenson rolled his eyes and pointed to Cassie’s own partner for the exercises, Will Dobbs, and then at Tim McGee’s partner, a statuesque five foot ten inches tall brunette that she didn’t recognise. Still, Cassie had been doing undercover work, so wasn’t up to date with new transfers. No one was surprised when Warren chose the gorgeous brown-eyed Laurena Hays over Dobbs, who was a six foot plus athletic African-American male. Everyone felt instant sympathy for Hays having to pretend to be Ted’s ‘date’, but she performed her role admirably. They were sent into a bar that had a broad cross section of patrons, and given a target to observe.

Cassie noted that quite a lot of people were disappointed when it went off smoothly. Unfortunately, Warren was annoyingly smug, conveniently forgetting that a) it was a joint exercise and Hays was equally responsible for them passing and b) that he’d failed abysmally the first time around while Hays and McGee had aced it. Sorenson, in the interests of fairness, had permitted Axelrod to have a do over too. He and Dobbs, posing as a gay couple, headed into a different club (since Warren had already well and truly blown their cover in the previous one) and they passed with flying colours, although everyone was far more congratulatory to Axelrod that they were to Warren. Then again, Theo was a nice guy and a popular agent.
The last pair to complete the exercise was Gibbs’ probie, Cate, and her partner, Epicene Fuentes, who was quite young looking, slightly built, and had quite delicate features. Cassie didn’t recognise him either, but perhaps he had newly graduated from FLETC – after all, she’d left Chris’ team over seven months ago and there were bound to be staff changes during that time. Cate, meanwhile, seemed pretty taken with her training partner; perhaps she preferred guys who were wiry rather than muscular.

Yates could relate up to a point. The more muscle bound a guy was in her experience, the less intellectual activity seemed to occur, although personally she liked someone with a tad more meat on his bones than Fuentes did, but perhaps appearances were deceptive and he was stronger than he looked. Oh, well, to each their own. He did seem a little reserved, perhaps he was an introvert or just not a fan of being bossed around by his partner, who certainly wasn’t lacking in self-confidence.

Most of the other pairs who were finished had opted to hang out and watch how the other pairs made out, clustering around the monitors. Sorenson had arranged to have cameras in situ and each agent was wearing a micro camera and a microphone. There was the usual amount of banter, off coloured jokes, even cat calls, particularly for the pairs who were posing as lovers when they got a bit grabby or affectionate. By the time Epicene and Cate were up, practically all the junior agents were squeezed into the makeshift operations centre masquerading as a film set shooting a documentary on bars and nightclubs which Sorenson had set up to monitor all the pairs.

While it was unlikely that any of the pairs would get into trouble, as a former ATF agent, Sorenson was taking every precaution to ensure that every agent stayed safe. Even Cassie, who was still new to undercover work, knew that there was a risk if things went wrong. Meanwhile the older agents, especially the SSAs hung back, happy to chat and keep one eye on the proceedings. They would access the video records at their convenience later on.

Cassie and Will Dobbs had been second up and she’d hung around watching her colleagues, eager to pick up hints from the other agents. Pity DiNozzo wasn’t here – she figured she could learn a lot from him, but he was in mandatory counselling after he was attacked by Chris’ murderer. As she watched Cate taking charge of the situation, she was aware of the undercurrent of cynical remarks about Caitlin Todd from the other agents. It seemed that in general, she hadn’t done herself any favours, calling wolf on a regular basis, re the chauvinism and sexual harassment she encountered at the agency.

Which Cassie found a bit confusing. After all, hadn’t she’d lost her gig with the Secret Service due to sexual fraternisation with the POTUS’ football carrier?

Listening to the scuttlebuttt, as a fellow female agent, she was pissed off that Cate used the sexist card to get out of the mucky or tedious jobs that ALL probies have to do, regardless of their gender. With dickheads like Ted Warren, he was just waiting for females, gays, or anyone who wasn’t from a WASP background, to fail to prove his ill-founded opinions.
Not to mention for anyone genuinely being harassed or discriminated against, it was really critical that people like Todd didn’t cry wolf because frivolous complaints made it very difficult for real claims to be taken seriously. If Cate ever had the misfortune to be targeted, no one would believe her, but perhaps worse, a lot of other female agents might also be less likely to be believed too.

As she watched the probie, who was practically sitting in Fuentes’ lap, she overheard Balboa griping about Todd and Tim McGee’s antics in the bullpen, mocking DiNozzo about kissing Commander Voss, who was Chris’ killer. Apparently, they thought kissing a trans*gender person was just so damned funny. Okay, so that definitely pissed her off. Chris was brutally murdered by Voss and he was a dedicated and capable agent – how disrespectful was it to his memory to be joking about his killer. Not to mention just plain juvenile.

As she watched Cate going in a bit awkwardly for a kiss with Epicene and bumping noses, but doing a fine job of enjoying herself, Cassie found herself getting angry with her. She was supposed to be a profiler and yet she was giving DiNozzo a hard time about kissing trans*gender Commander Voss, AKA Amanda Reed. Clearly, empathy was a topic she must have skipped at Profiler School because Yates didn’t need to be a psychic to know that Tony must be absolutely sickened to think he’d been kissing Pacci’s killer, and it had nothing to do with HER being trans*gender.

With his years of working undercover and spending nearly two years working Vice in Philadelphia, he’d interacted and likely made out with sex workers of all sexual persuasions when he was doing undercover work. Obviously, that had included trans*gender sex workers too, who were attracted to prostitution as a means of coming up with large amounts of money to pay for the reassignment surgery. She knew all this because when she’d headed off to work undercover, Tony had been very generous in sharing his experiences, particularly his two years working in Vice.

Tony and Gibbs, pre-Vivian Blackadder, had worked quite closely with her and Pacci when they needed backup in the field. Both teams being comprised of two-person teams, they were close, arguably closer than some of the four-person teams that were the norm at NCIS.

One thing she was sure of was that Tony, who was good friends with Chris, would be hurting over his death too, just like she and Gibbs were. He really didn’t need two juvenile newbies sniggering about him kissing someone on the job who he had no way of knowing was responsible for killing Pacci. Hell, Chris had been after Voss for years and had no clue that the woman he had under surveillance was Commander Voss.

Yates wondered if she’d get away with bitch-slapping the two immature agents. Yes, she knew it was wrong but a girl could dream and it would make her feel a lot better.
One week later:

They were back in the NCIS training room for the final part of the staff training into every day undercover skills. Sorenson had sent them all packing after the completion of the practical exercises last Thursday evening. Today was supposed to be a review and debrief of the undercover exercises and Cate was looking forward to it. Personally, she thought she had knocked it out of the park. She’d opted to do vox pops in the first part of the practical because she thought it was total sexist to be expected to be the model just because she was an attractive female and had a male partner. She’d also really enjoyed the ‘date’ scenario in the bar – it had been fun.

Making out with Fuentes had been awkward at first since he was a stranger, but she soon got into it. It was a lot of fun pretending to be someone else and kissing a hot guy – well, it sure beat picking up cruddy chewing gum and other crap at crime scenes or dumpster diving, not that she’d done much of that. Gibbs made DiNozzo do most of the messy grunt work, which he didn’t appreciate, but honestly, she was senior to him in all but a technicality. He’d been at NCIS for a couple of years more than her, although she’d been a federal agent a lot longer than he had and was clearly superior in abilities and intellectual capacities – she was a profiler after all.

Looking at Tony, who was sitting near a gorgeous African-American agent, obviously trying to hook up with her, she couldn’t wait for him to see how well she’d done at his ‘forte.’ That is if he even bothered to pay attention; he already had his arm around the woman, hugging her. Honestly, he couldn’t keep his libido under control – not even for a minute, but she was seriously disappointed with the object of his attention. She looked way smarter than to fall for her teammate’s dubious charms.

It simply never occurred to the profiler that DiNozzo was already acquainted with the woman he was hugging – or that he was comforting her. Nor did it strike her that she might be even a little resentful since he’d made no attempt to flirt with her or ask her out. Not that she’d go out with him – he was a chauvinist – but she’d take great pleasure in slapping him down, firmly. She already had several zingers carefully rehearsed for that scenario. Unfortunately, she hadn’t had the opportunity to use them…yet!

At that moment, Johan Sorenson appeared and made his way to the lectern. After welcoming everyone back, he announced that they would debrief from the drills and then their performances would be critiqued so that the agents could learn where they could improve next time.

“To save time, the teams will be divided into two groups for the critiques to take place. I will be delivering the feedback for the first group. For the second group, we are extremely fortunate to have one of NCIS’ own, Special Agent DiNozzo, who is highly experienced in undercover skills. For
anyone who isn’t aware of his skills, let me just say that all the alphabet agents and major PDs want him and make him job offers on a regular basis. If you’re lucky enough to be assigned to his group, do yourself a favour; take advantage of his knowledge and skills.”

Although the praise made Tony squirm uncomfortably in his seat, Cate was too busy thinking about how the attention would inflate DiNozzo’s ego even more than it already was, i.e., it would be enormous. She resolved to bring him down a peg or two with a well-timed remark about his tonguing a he/she to remind him he was a man-slut.

Sorenson continued, “However, before we get into the nitty gritty examination of your practical exercises, we are fortunate have a couple of guest speakers today. Since we are exploring undercover work, they will be talking about people who need to live undercover for long periods of time and the difficulties they face when they drop their undercover persona or identity and the long-term challenges that they face in their lives.”

“Some of you already know Dr. Janet Watkins. She is a psychologist who has been a part of the grief counselling team which has been working hard to help you deal with the tragic loss of a fellow agent. Please make her feel welcome.”

~o0o~

Janet Watkins made her way to the lectern and placed her notes down on it and looked at the audience, which consisted of a range of NCIS agents. Most looked guarded, which was what she expected. Cops and feds collectively were fairly cautious around psychologists and psychiatrists, many were dubious about the benefits of talking about their feelings, and a few – like Leroy Jethro Gibbs, saw them as the enemy – hell bent on having agents benched given half a chance.

The ash blonde former cop got it. She’d felt the same way herself when she had been a beat cop and a patrol officer. Then she got shot during a routine traffic stop that had turned out not to be so routine. The vehicle she and her partner pulled over for speeding contained an armed felon who’d held up a liquor store. She’d failed to make it back and it was a psychologist who helped her put the pieces of her life back together. Then when she lost her husband to cancer, her psychologist helped her get through the devastation and carry on for their three children, and her opinion of psychologists shifted dramatically. Which was partially why she decided that she would go back to school and become a psychologist, specialising in working with cops and federal agents.

Smiling at several people she recognised from her grief counselling sessions, she began.

“Take a good look at your fellow agents. Many people live their lives undercover – they might be the parents of drug addicts or the offspring of alcoholics. Perhaps they have a deep dark family secret – for example their mother might have killed their father after suffering years of domestic violence.
Some people might hide a secret about themselves that they might be afraid to share with their workmates or even from their family, such as their sexual orientation. While we all know that law enforcement is an occupation where many individuals who are gay, bisexual, or lesbian feel they have to hide their sexual orientation from their fellow agents or cops, attitudes are slowly changing. However, when it comes to gender and acceptance of people who aren’t cisgender, we have a very long way to go.”

She saw confused expressions and smiled mentally, having anticipated this reaction; she turned and clicked on a slide.

Definition of cisgender: denoting or relating to a person whose sense of personal identity and gender corresponds with birth sex.

Watching the blank looks, Janet explained. “Trans*gender persons, or Trans* refer to someone whose gender differs from the one they were given when they were born. Trans*gender people may identify as male or female, or they may feel that neither label fits them.

“As you all know, Christopher Pacci was murdered by Lieutenant Voss, who also happened to be trans*gender. It became clear while we were conducting grief counselling sessions that there was a lot of misinformation and misconceptions about trans*gender individuals. Since this staff training sessions are about undercover skills, it seemed like an appropriate time to also undertake some agent training on working with trans*gender persons, be they victims of crime, witnesses, or perpetrators.”

Janet didn’t explain that the agent training had actually been designed around the whole lack of understanding and lack of respect for trans*gender people, including the undercover scenarios. Looking around the agents, she saw a range of emotions and reactions, which they’d previously anticipated too. Smiling professionally, she addressed her somewhat lukewarm audience.

“So, why don’t we start off by dispelling some of the misconceptions people hold about the trans*gender population. Researchers Esther Meerwik and Jae Sevelius used data from national surveys and statistical techniques to try to estimate the population size of trans*gender people in the US and found that estimates of the number of trans*gender individuals had increased in the past decade. They estimate that it is now almost 1 million Americans, or 1 in every 250 adults.” Janet stopped and looked at the audience, assessing their reactions minutely. “And before any dogmatist in the room takes those facts and extrapolates the stats as proof that trans*genders are corrupting cisgender people or that it is a moral contagion that is being spread, check your ill-informed dumb assed opinions at the door and listen to the facts.”

That statement got quite a lot of agents gawping at her bluntness, sitting up and taking notice. Janet knew using psychobabble and jargon wasn’t a wise course when talking to law enforcement types –
even though cops and feds used their own jargon frequently. Hypocritical maybe but it was what it
was and to get through to a lot of them straight-talking won you brownie point. Luckily, she had a
very good understanding of what made them tick.

“Fact – the existence of trans*gender people has been reported in historical references dating back to
ancient civilisations. For example, in ancient India, Hijra are a caste of third-gender, or trans*gender
group who lived life as a feminine role. Hijra may have been born male or , and some may have been
born female. Then there was a Jesuit missionary, Joseph-Francois Lafitau, who lived with the
Iroquois people in 1711 for six months, describing women who lived as warriors and men who lived
as women. Other Europeans recorded that some, but not all, Native American tribes recognised a
third-gender or trans*gender people.

“I won’t bore you with a lecture on the history of trans*genderism, suffice to say people, it has been
around for a long time – get used to it!” Watkins snarked at the audience before continuing to attack
the myriad of myths surrounding trans*gender people.

“Fact – gender is determined in utero by endocrine effects on the embryonic brain. Sexual genitalia
DOES NOT dictate gender,” she emphasized emphatically. “And this understanding has emerged
due to the studying of intersex conditions of which there are 70 different medical syndromes.

“Fact – the rise of trans*genderism observed by the researchers of the study is complex, but two
contributing factors are probably that more people are feeling safe enough to self-report instead of
keeping it secret, and also the fact that we are subject to more and more chemical exposure in the
environment which can help explain the increase.”

Clicking on a slide containing a simple animation she continued. “Some chemicals act as endocrine
disrupting chemicals and are ever-present in the environment, which produces disruptions to the
foetal endocrine system. This may result in numerous developmental anomalies, including varying
degrees of gender dysphoria.

Janet smiled slightly, seeing a bunch of faces with puzzled expressions on their faces but she had
anticipated that some people wouldn’t know what gender dysphoria meant and had come prepared.
Clicking, she displayed a new slide with the definition and kept going.

“Gender dysphoria, for those that do not know, is the distress or discomfort that may occur when a
person's biological sex and their gender identity do not align, and it cannot be caused by bad
parenting or exposure to others like measles or an infectious disease.” Pausing, she stared at the room
of agents, “To put it in very simplistic terms – it is nature NOT nurture!
“Fact - researchers have concluded that trans*gender individuals are exposed to widespread social stigma, discrimination, harassment, and physical and sexual abuse compared with the general population. They are four times more likely to live in extreme poverty, have double the rate of unemployment, and are more likely to be homeless. They are less likely to seek medical treatment due to discrimination by health care workers and, disturbingly, many of them have attempted suicide at least once.”

Janet paused, took a sip of her glass of water and used the silence to deliver the audience a lethal laser stare that Jethro Gibbs might have admired and observed sadly. “I’d hazard a guess that trans*gender people are also less likely to seek help from law enforcement due to discrimination and harassment by those who work in the justice system.”

The ash blonde psychologist was silent for almost a minute, letting those facts and observations sink in before continuing.

“Fact – accepting that the rate of trans*gender people currently living in the US is 1 in every 250 means that it is highly likely that every one of you will encounter trans*gender people in the course of your working day. It’s your duty as law enforcement professionals to educate yourselves and ensure that you don’t add to the discriminatory practices and attitudes that they already encounter.

“I just wanted to leave you with this last point before I hand you over to a guest speaker, Ms. Oriana Sinclair, who has volunteered to come and share her insights with you. I hope you’ll take the opportunity to listen to what she has to say with an open heart and mind.

“During the course of the grief counselling sessions that my colleagues and myself have been conducting after the death of the much-loved Special Agent Christopher Pacci, it came to our attention that there are some erroneous beliefs amongst some, not all of the staff regarding trans*gender people.

“For example, some agents expressed the belief that Lt. Commander Voss was hiding out as Amanda Reed for the express purpose of avoiding arrest for embezzling 12 million dollars from the navy. Nothing could be further from the truth – Voss had gone to the trouble of setting up safe havens, apartments within ten miles of each of the four naval bases where the Lt. Commander had served to be able to live as Amanda Reed, long before he committed a crime. Plus, Voss/Reed was due to have gender reassignment surgery in Bangkok in a few weeks. If she was merely looking to hide, she could have fled overseas to a country that didn’t have an extradition treaty with the United States.”

Janet halted briefly, looking at the predominately male agents, hoping that they’d manage to break down some of the ignorance and bigotry that made trans*gender people extremely reluctant to interact with law enforcement. “The truth is that she had been hiding out as a cisgender person for most of her life, pretending that her gender matched the sexual identity she was assigned at birth. Not only can we learn a lot about how to work successfully undercover from people such as Voss/Reed, but it can also help us to understand the issues that trans*gender individuals face in their daily lives.”

Janet also knew that even in such a small federal agency as NCIS, the likelihood of it employing at least one or more trans*gender persons was high and hoped for their sakes that they would receive support. Not to mention, that Voss would not be the only Sailor or Marine who was trans*gender, even if they were undercover like Lieutenant Commander Voss had been. The bottom line was that trans* individuals deserved to be treated with the same empathy and respect as their cisgender brethren. Shrugging mentally, she finished up with an introduction for the next speaker.

“Now please welcome someone with a unique perspective on trans*genderism, New York playwright and author, Ms. Oriana Sinclair.”
“They tell us all ‘the truth will set you free,’ and from a young age we’ve been taught that ‘honesty is the best policy.’ We teach children that lying is wrong, that it is a sin, and when testifying in court we swear to God to ‘tell the truth, the whole truth and nothing but the truth’."

“Honesty is a much-cherished trait in our society. Many of our leading luminaries have weighed in on its importance. For example, William Shakespeare informed us that ‘no legacy is as rich as honesty,’ while according to Thomas Jefferson, ‘honesty is the first chapter in the book of wisdom.’ Perhaps the most famous quote on the subject comes from Benjamin Franklin, who famously was reported to have said that ‘honesty is the best policy.’

“So, we’ve established that being honest and telling the truth is something which is highly valued in our society. We’re socialised from a very early age to do so, often before we are capable of fully understanding the difference between truth and lies. So, imagine if you can, the degree of conflict that trans*gender people experience in having to pretend that we aren’t different from everyone else.

“I was four when I started to realise that I wasn’t like other people because of the way people would react when I insisted I was a girl. I wanted to dress as a girl, hang out with girls, play with girls’ toys, grow my hair and wear pigtails, and I heard people say things like ‘it was just a phase – that he’d soon grow out of it.’

“By the time I was eight, I’d learnt that while honesty was the best policy and it was wrong to tell lies, for me to fit in... to survive, I had no choice but to lie about who I was. I knew that I was a girl despite what everyone else said, despite the fact that I was living in the body of a male. Unfortunately, I couldn’t get anyone to believe me and all their attempts to ‘persuade’ me I was wrong succeeded. Not that they persuaded me I was male, but they convinced me that to quote Jack Nicholson in a Few Good Men, ‘you can’t handle the truth’ and that left me with no choice but to lie about who I really was.

Oriana paused and looked out across the audience. Sensing that at least some of her listeners were open and accepting, she smiled somewhat wryly.

“So, for over half my life I was living undercover, pretending to the world, to my friends, to my family that I was the male that they were convinced I’d been born as, based purely on my genitalia.
All the while, in my mind I knew I was a female, just like I knew innately that I was a human and not an animal or a machine.

“But realistically, a lie that huge was almost impossible for me to maintain long-term. Other marginalised people sensed that there was something off about me. They didn’t realise I was trans*gender because I was skilled at that point in concealing that. Instead, people thought I was gay because I avoided contact with women as much as possible as it was too difficult to be around them and not have what they all took for granted every day. Plus, when it came to dating, I was not attracted to females sexually, and the fact that I didn’t have a girlfriend was cause for speculation. People quickly reached the conclusion that I liked guys – which I did, but I liked them as a woman likes a man.”

Searching the crowded training room, looking for signs of understanding, Oriana flipped a section of blonde hair behind her left ear as she shifted her weight between her right and left foot. Focusing on a stunning African-American agent, her brown eyes full of empathy, Sinclair continued her monologue, feeling encouraged.

“The fact that I didn’t date guys reassured my parents and friends that I wasn’t gay – apparently a fate worse than death in their eyes – at least until I came out as trans*gender. But while there were times when I was attracted to a guy, as a female trapped in a body that I abhorred, I couldn’t ever envisage starting a sexual or romantic relationship with someone I cared about and lie to them too. And at that time, I was accustomed to living a lie, it never occurred to me that I could confide in a man I was attracted to. Plus, I figured in my confusion about gender identity that any guy that was attracted to me would probably be gay and it wouldn’t be fair to deceive them that I was gay too.

Finding her throat was dry, she reached for the glass of water and slowly took a drink, noting at least one guy in the room who was looking at her like she was a freak. He looked like a posterchild for an Aryan White Supremacist cell with his sandy-blonde hair and grey-blue eyes and she decided that entering a dark alley with him at night would not be a smart move, unless she had a death wish. She was well acquainted with men of his ilk and learned the hard way to give the bigots like him a very wide berth.

Taking up her tale she continued, trying not to shiver in dread. “Living a lie inevitably took its toll. I became depressed and suicide became an option that I considered more than once. I was getting pressure from my parents to find a nice girl, settle down, and have a family, and I cracked up… literally and figuratively.

“Let’s face it, self-help books and gurus are a dime a dozen – and they all talk about being your own authentic person being a crucial component of being happy and successful, but it isn’t just a new age touchy feely concept. Writer and aviator, Anne Morrow Lindbergh said that ‘the most exhausting thing in life is being insincere.’ Anais Nin, the essayist declared, ‘when one is pretending the whole-body revolts,’ and I can totally attest to that.”
She paused for effect.

“However, on the subject of not being authentic or true to yourself, I’ll leave the final word up to yet another esteemed writer I’ve long admired, Nathaniel Hawthorn. He wrote that ‘no man for any considerable period can wear one face to himself and another to the multitude, without finally getting bewildered as to which one may be true.

“Agents who do undercover work know that to be inherently true. After being deep undercover for a long period of time, they can start losing touch with reality and even begin to identify with and protect the people they are trying to put away.

“Following my breakdown, with the help of an awesome counsellor I came to understand that living a lie had become intolerable and unsustainable. That it was no longer an adaptive way to survive; that being undercover wasn’t working anymore. That it was slowly killing me. Consequently, I needed to do something different if I wanted to live my life and be happy. So, I came out.

“I’m not going to tell you that it was easy, cuz coming out about being trans*gender was probably the hardest thing I’ve ever had to do. People are shocked when I tell them that because they think that having gender reassignment surgery would be the most difficult part of my ‘trans*gender journey’ but hells bells – that was the easy part. At least compared to finally being honest with everyone.

“As soon as I was finally truthful, my family and friends deserted me because, surprise, surprise, they couldn’t handle the truth! That hurt – being disowned and isolated from everything and everyone I knew.

“I lost my job as an English literature and drama teacher when I started dressing as a woman and taking hormones because TPTB and the parents seemed to think that what I had was contagious. It gave me insight into how it must have felt to have been a leper - I so wasn’t ready for the backlash. I thought I was, but I was wrong!”

Oriana was, by this point, overcome and seemed reluctant to go on, perhaps because of the toxic vibes that were literally pouring off an agent in the second row. Unsurprisingly, Janet thought it was Ted Warren who had been identified in various psych evaluations as being extremely bigoted about just about every vulnerable and minority subgroup. At that point, as per their earlier contingency plan, Watkins stepped in smoothly to cover Oriana’s back. It was agreed that if she became overwhelmed that they’d switch to a Q and A format to take some of the pressure off her. Janet nodded empathetically.
“Thank you so much for sharing those experiences and your insights with us all, Oriana. That must have been a very difficult experience for you to deal with. How did you get through it?”

Oriana shot the psychologist a grateful look before pulling herself together. “I kept repeating my favourite quote by the German polymath and statesman, Johan Wolfgang von Goethe ~ ‘if God had wanted me otherwise, He would have created me otherwise.’

She paused for effect to let that sink in before continuing. Clicking on the laptop Janet had previously used, she continued.

“There are other quotes of his that I frequently take comfort from, too,” she said, gestured to a list of quotes that were displayed on one of the plasma screens behind her. “I’m a huge fan of his writing.”

In the background, the bullet list of Oriana’s favourite Goethe quotes were being read by agents who were slowly having their long held and oft erroneous assumptions challenged.

- A person hears only what they understand.
- All the knowledge I possess everyone else can acquire, but my heart is all my own.
- As soon as you trust yourself, you will know how to live.
- Let everyone sweep in front of his own door, and the whole world will be clean.
- The man with insight enough to admit his limitations comes nearest to perfection.
- We can't form our children on our own concepts; we must take them and love them as God gives them to us.
- Whoever wishes to keep a secret must hide the fact that he possesses one.
- Nothing is more terrible than to see ignorance in action.

~ Johan Wolfgang von Goethe

“As difficult as it was, once I stopped living the lie, started living as me – as a woman – I joined a support group and found that I wasn’t alone. Finding other people who were trapped in the body of one gender but knowing they were the opposite gender was a really important step in my reclamation process.

“They became my support system – my family. They really got me and for the first time ever, I didn’t have to hide who I was or censor myself. It was liberating, empowering and they gave me the courage to achieve what I most desired.”
“And what was that, Oriana?” Janet asked her gently.

“Gender reassignment – to have the external me match up with the internal me. To become a female biologically as well as emotionally, spiritually, and psychologically.”

“But I thought you told us that gender reassignment wasn’t something that you felt was difficult?” the ash blonde psychologist asked her, deliberately playing devil’s advocate.

Orianna frowned, “That’s right, it wasn’t. It was getting to that point that was the hurdle. For most trans* people, it is an insurmountable problem. Even when you are living authentically and not pretending to be what society has declared you to be, the cost of the pot of gold at the end of the rainbow - the reassignment surgery is prohibitive. It’s out of reach for most people. Trans*gender individuals are often existing in poverty since finding employment can be very problematic, let alone having a job that pays highly enough to permit me to finance my surgery.”

“You mentioned that you lost your job as a teacher? Did you manage to find another one?”

Oriana snorted cynically. “No, I felt a bit like Remus Lupin in the Harry Potter book, The Prisoner of Azkaban. He was fired for being a werewolf - a monster that might infect his students and make them all werewolves too. The truth was he never wanted anyone to experience the hell he had to live with.

“I was terminated because they seemed to think that I might contaminate the students and I was unable to find another teaching position. Honestly, I wouldn’t wish my experience upon anyone. Having to hide who I was from the rest of the world for a significant portion of my life – my childhood, teen years, and my twenties. Being considered something that could contaminate ‘normal people’ and an abomination? Only a sick or malevolent individual would wish such a life on anyone else, even my worst enemy – and I’ve encountered a lot of vile, evil people in my day.”

Oriana smiled bitterly. “But to be perfectly honest, not being allowed to teach, as horrible as that was because I loved my job, turned out to be a blessing in disguise.”

“What makes you say that, Oriana?” Janet asked her curiously.

Shrugging, Sinclair responded, “The truth is that at the wage that a teacher is paid, it would have taken me an eternity before I could have afforded to complete the physical transformation.”
“Clearly, you must have found employment, to have afforded the surgical reassignment, or did you win the lottery?”

Oriana snorted again, clearly amused. “Not hardly. I ended up as a sex worker in Baltimore where I’m from. The pay was good, but the job sucked.”

That caused several chuckles at the double entendre and Oriana’s lovely eyes gleamed in amusement although Watkins ignored it, staying serious.

“Isn’t that a highly risky profession?” Janet wanted to know.

“Absolutely it is. Prostitutes in the US are 400 times more likely to be the victims of a homicide than liquor store workers, which is the second most dangerous job in this country. Sex workers are 40 times more likely to be assaulted in the US than their British counterparts, where prostitution is legal. The assault and homicide rates for trans* prostitutes as opposed to cisgender prostitutes are probably a lot higher too, but many of the attacks go unreported. Still, there aren’t many jobs going for trans* and like I say, the money can be good… if you don’t end up dead.”

“Why is it more dangerous to be a trans*gender sex worker?” Janet questioned her.

Oriana laughed rather bitterly. “For the same reason trans* people hide themselves from the rest of the world in the first place. We’re seen by many cisgender people as depraved freaks and monsters. I’m not cis, obviously, so I can only surmise what they think, but I feel like they honestly believe that we’re like a virus or a contagion, trying to take over the world and contaminate naïve innocent cisgender people.

“As I said earlier, when I was teaching, that was one of the excuses that was bandied around for firing me, that I’d implicitly or explicitly turn the kids into trans*gender or gays and lesbians. Like I was some sort of Zombie Apocalypse.” She shook her head in disgust and frustration at the ignorance she’d encountered.

“For some cisgender people, their ignorance and hatred of trans*gender people is appalling and their attitudes to us can be pretty violent. They deal with their fear of anyone they see as different by bashing, rape, and/or even homicide.”

“Sex workers in general are a disenfranchised population; serial killers and rapists recognise this, frequently targeting them because they know that people won’t notice if they go missing.” Janet
observed somewhat clinically, although she felt anything but.

“They know that their friends/family are usually other sex workers, who also don’t trust the cops and, therefore, are much less likely to report them missing or report assaults.”

Oriana acknowledged that. “That’s true and applies equally for trans*gender sex workers too, but trans* sex workers also face an even stronger degree of hatred and dread which cis sex workers don’t seem to attract. At least not with the same level of intensity that seems to be directed at us, and it has nothing to do with how we earn a buck.”

“You said sex workers don’t trust cops. Why is that?” Janet asked, continuing to play devil’s advocate.

“Well, because some cops think that they are entitled to perks on the job and extort businesses to give them freebies, like free meals or liquor if they are legit businesses, or drugs and sex if they aren’t legit. Plus, cops are people first and foremost. They have their fair share of bad apples, psychopaths, misogynists (or misandrisists if it’s a female cop), homophobics, racists, and bigots.”

“You’re right, they are people too and will, therefore, be representative of a whole bunch of viewpoints, political persuasions, and even sexual orientations.” Janet validated Oriana’s explosive observation, knowing that it was highly inflammatory to a bunch of law enforcement professionals. It was also true!

“Just like they’ll have individuals within the ranks who are corrupt, individuals who are depressed, angry or anxious, individuals who have physical or mental conditions. You’ll also find cops who may be political ideologues or are religious zealots. Just like you would encounter if you walked down the street and picked a bunch of people at random.”

Oriana nodded in agreement. “I have to say that my own experience when I was working was that there were some truly awesome cops who really cared about the runaways, drug addicts, and sex workers that were on the streets. They made a difference because they saw us all as people, not trash, and went out of their way to help us. When we were in danger, they’d put themselves on the line to protect us, but they were few and far between. One or two I still consider to be friends.

“Then there were some truly awful cops, vicious ignorant bigoted asshats, who were as bad as, if not worse than the criminals they were supposed to be apprehending. Just like paedophiles will flock to jobs that give them easy access to children, serial sex offenders have been known to become LEOs so they can get easy access to prostitutes who know that if they try to report an assault (or worse) by a cop, that they won’t be believed. Not by the LEOs, not by the courts, and not by juries – because they aren’t considered to be credible witnesses compared to cops. For others cops who see us as soft targets, bullying and verbal taunts fulfil their need to make us feel like we are less than human simply because we are trans*gender.”
Janet agreed. She was an ex-cop, forced out when she was shot on the job. She didn’t like it, but sadly, she knew that what Oriana was saying was the truth and these feds needed to hear it too – and own it!

“Yes, you’re right about that.” Watkins readily agreed. As a former cop who retired on disability, I know damned well that a badge did not automatically make you a saint. In much the same way that trans*gender people learned to hide who they are by remaining in plain sight, sociopaths, monsters, and murderers hide their real selves behind their own masks too. That includes hiding out in law enforcement; after all, who would ever think to look for them in the very institution that was supposed arrest people like them who broke the law.

Oriana shrugged – her body language clearly conveying her resignation to the status quo. “And then there are all the rest. In my experience, the vast majority of cops I knew were on a sliding scale, somewhere in between the two poles of good, bad, and just plain indifferent when it came to Vice and prostitution.”

“You said, ‘my own experience when I was working.’ Are you not working at the moment?” Janet asked

“Not as a sex worker. That was just a means to an end, so I could pay for my surgery.”

“Did you go back to teaching afterwards?”

“No, I’m a freelance writer and I’ve done a bit of acting too. Even tried my hand at writing plays that are diverse, inclusive, and truly representative of all of us.”

“I think you are being a little too modest; my understanding is that you are highly regarded as a playwright. Good on you! You should be proud of all you’ve achieved,” Janet congratulated her sincerely. Oriana had so much to be proud of.

“Thank you, Dr. Watkins, I am most of the time.”

“No, thank you, Oriana, for being prepared to talk to us and share your experiences. Hopefully, we can make a difference for other trans* by talking about trans*gender issues. Before we finish up, is there anything that you’d like to share that we haven’t covered yet?” Janet inquired.
Oriana nodded. “Actually, there is something I’d like to say, Janet. When a person who commits a crime is arrested or even under suspicion, I know that they must be referred to as something. I understand there it is *de rigueur* to refer to them as unsubs, perps, persons of interest, and the NCIS preferred option of dirt bag. All those terms are fairly benign and inclusive, so I’m wondering why in a recent high-profile case that was investigated by this agency, certain agents felt that it was perfectly acceptable behaviour to refer to the trans*gender person that was the perpetrator as a he/she on numerous occasions rather than a less offensive label?”

Janet scowled collectively at all of the agents in the room. “Good question. Just to clarify, Oriana, is that a term that is offensive to you?”

“Absolutely, just as the use of the words shemale and tranny are super offensive to me and to other trans*gender persons.” Oriana glared pointedly at two of the chief perpetrators, Caitlin Todd (who was looking pissed off, but certainly not repentant) and Timothy McGee (who blushed bright red and was squirming uncomfortably in his seat).

“I can sort of make excuses for older entitled white guys who weren’t well educated but you two should be ashamed of yourselves,” she scolded them both firmly.

Janet leaped in to keep it from degenerating into a pissing match. “Can you put those labels into some sort of context for all of us?”

Oriana cocked her head to the left as she considered the request. Addressing her remark to Todd, she asked, “If the suspect is a cisgender woman, would you think it was acceptable for you to address or refer to her as a whore, a slut, a bitch, or another humiliating pejorative?”

There was ripple of suppressed chuckles amongst the audience that Janet sincerely hoped was due to Todd jumping down people’s throats about them using even the most innocent of gender-biased language, for example her objection to the age-old habit of referring to ships by the feminine pronoun she.

The probationary agent looked outraged. “Of course not! Those are extremely derogatory and insulting names used by a patriarchal establishment to demean and control women.”

“So, why on earth would you use cissexist words meant to demean and control trans*gender people?” she scolded the federal agent roundly. “Those terms are never used to respectfully address or refer to a trans* person and WE FIND THEM FUNDAMENTALLY DEHUMANIZING. Do
not use them! Do not call anyone that! What you should do instead is practice thinking of trans* persons as women and men.”

Next, she turned and addressed Tim McGee. “And you! Would you think it was okay to refer to a suspect as an hairy ape, a wop, a chink, a mick, a raghead, or a bunch of other equally derogatory and utterly vile racial slurs to describe someone from another race or country?”

“No… that would b-be ignorant, offensive, a-and rude and inappropriate,” he stammered, not liking to be in the spotlight.

“So, please tell me why is it okay to for you to be inappropriate, offend, be rude to, and treat trans*gender people with such utter disrespect?”

Putting his head down in shame, McGee shook his head. “No, it’s, um, ah, not okay.”

Feeling that Oriana had made her point rather eloquently, the psychologist stepped in and interrupted. “Well, thank you so much for setting us straight about how language matters, how much it can hurt and demean people who don’t deserve it. I’m sure we’ve all learnt so much today, and not only about trans*gender slurs and unprofessional behaviour either. How about we all put our hands together and show our appreciation to Oriana Sinclair.”

Janet was inordinately pleased to note that this time, the vast majority of agents were far more effusive in their gratitude for Oriana’s willingness to share her life story with them. Someone who was as articulate, well educated, intelligent, and frankly hot as hell as she was had definitely helped to humanise trans*gender people, at least for a lot of the agents. It was an unfortunate fact that someone who wasn’t as feminine, attractive, or articulate and persuasive wouldn’t be anywhere near as effective to educate the uneducated or ignorant about trans*genderism.

Knowing that all progress was a victory and that they had made some significant gains today, she reintroduced Johan Sorenson, who had resumed his position in front of the lectern.

Clearing his throat, he announced that they were going to be debriefing and reviewing the undercover exercises.

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Cate was fuming – how dare some ex-prostitute lecture her on her behaviour. They were openly flaunting the fact that they had engaged in illegal behaviour to make money and had the audacity to lecture her on having their feelings hurt. Not to mention being a sinner!
And how did ‘this person’ know about the he/she comments anyway? McGee wasn’t telling tales, obviously, since he was just as complicit as she was. Probably DiNozzo was the culprit, whining about being teased because he was tonguing Lt Commander Voss. What a baby!

It never occurred to the ‘profiler’ that she and McGee openly taunted and teased him about kissing Pacci’s killer where plenty of other agents in the bullpen had heard and noted their behaviour, including the director, Tom Morrow. Not to mention that last Thursday when they were out in public, hanging around, waiting to do their practical undercover scenarios Laura Hays, Epicene Fuentes, Cassie Yates, and Johan Sorenson had also taken notice of the sniggering and juvenile joking that she and McGee had indulged in. Apparently, they were completely oblivious to how badly their colleagues were taking the death of a fellow agent and their puerile focus on a kiss between two consenting adults. Nor was she aware that Cassie Yates had already made a complaint against both agents to HR – something they would be informed of soon enough.

Meanwhile, Sorenson divided up the room – Todd/ Fuentes and McGee/ Hays were assigned to his group and she breathed a sigh of relief that she didn’t have to put up with DiNozzo offering a critique on her undercover skills. He was already unbelievably smug – with little to justify his conceit as far as she could see -after all he’d messed up arresting Voss. She just knew he would enjoy making her look bad. Johan on the other hand was clearly the expert AND a professional trainer to boot, not a juvenile frat boy like her team mate. She was really looking forward to hearing what the expert thought about her performance in the scenarios.

They quickly reorganised the layout of the room – the second group that Tony was responsible for heading to the back half of the room where video equipment and a large plasma screen were waiting for their reviews. Cate noticed that the shrink joined Johan’s group and Oriana Sinclair wandered over and asked if they minded if ‘she’ joined them. Sorenson replied that he had no objection if it was okay with the participants.

Although it wasn’t okay with her and she noticed that Tim had his deer in the headlight expression that he often wore around Gibbs, neither expressed their objections since they were already on thin ice and wanted to fly under the radar. If Oriana I’m-such-a-victim Sinclair was hoping to embarrass her in front of her colleagues a second time, she was going to be real disappointed cuz Special Agent Caitlin Todd aced these drills.

McGee nudged her and handed her a pile of papers. “Our assessment results; take one and pass it along.”

Complying eagerly, she looked for her own name and marks on the list of partners. Finding it, she frowned. There had to be some sort of mistake. For the first scenario which she’d nailed, she and Fuentes had received a 2/10; that couldn’t be right.
Holding up her hand to attract his attention, Johan who was fiddling around setting up the audiovisual equipment, finally noticed her, but ignored her for several minutes. Eventually, when he seemed to have everything sorted to his satisfaction, he asked her what she wanted.

She explained. “I think there was a typo with Fuentes and my assignment for the first scenario.”

“Okay, let me check my records. “What was your name again?”

“Todd, Caitlin Todd and Epicene Fuentes,” she replied impatiently.

He pulled her record up and studied it silently. “Why do you think that there has been a mistake, Agent Todd?” he enquired.

Looking at Fuentes for support, she snapped at him, “I don’t think, I know, because we aced the assignment.”

He regarded her inscrutably as she tried to give him the Gibbs’ glare, but he didn’t seem intimidated. “Why don’t we watch it to see what you did, then discuss the subsequent marks, shall we?”

The group watched as the pair meandered down the street, Cate with a large rather obvious handheld microphone in her hand, interviewing people while Fuentes played cameraperson and filmed Todd and her interviewees. At the same time, they were also keeping the target in line of sight at all times.

“What was wrong with that?” Cate demanded petulantly, although she couldn’t help herself, she was furious and felt wronged.

Johan nodded. “Well, for a start, you weren’t assigned to the vox pop scenario. You were supposed to be conducting a photographic shoot.” Noticing the red flush of anger rising from Cate’s neck upwards, Sorenson asked, “Were you not aware of your assignment?”

Cate was seething. “I was, but it was sexist to expect me to pose as a model just because I have breasts instead of a penis.”

“Fuentes, did you get a say in the decision not to complete the photoshoot scenario you’d been
“Ah… well, no.” The Latino looked somewhat pained.

“Why was that?” Johan asked him. “You were partners.”

“Well, mainly because Special Agent Todd was so angry about patriarchal structures and chauvinist males assigning her that scenario – she said since they viewed her as a sex object she just refused to do it. And she didn’t ask me what I thought.”

Sorenson gave her a stern look. “Peggy, could you please tell Special Agent Todd how the scenarios for the street surveillance drills were assigned please?”

The head of the HR department who had been observing the session, wandered over. “My 2IC, Delores Bromstead, and myself drew them out of a hat. It was purely random.” She didn’t mention though that the actual partnerships had been carefully assigned by the trainers in consultation with the director.

Johan thanked her before shooting an arctic stare at the hapless agent. “You are lucky I didn’t fail you outright, Agent. You didn’t complete the assignment. I could have awarded you a zero. You don’t get to disobey orders, especially not in the field or when you’re undercover – that can get you or your partner killed. Consider yourself lucky that I only deducted 50 percent for refusing to complete your assigned drill.”

“But we only got two out of ten,” she wailed. “That’s not half!”

“Ah! Well… I took two marks off for failing to work cooperatively. You made a unilateral decision not to complete the assignment. You didn’t ask Fuentes about what he wanted to do when one of our objectives was to work as a team. And I took another point off for your lack of creativity and ability to think laterally.”

Sorenson looked at the other agents. “You’ve all had an opportunity to watch Todd and Fuentes during their assignment where they were supposed to be watching someone in the strip mall by pretending to be on a photographic shoot. Any ideas how they could have solved the situation differently?”
Cassie stood up. “There is nothing to say that the photoshoot model had to be you, Todd. If you were so against posing as the model, and let’s not forget when you’re undercover, you often do stuff you wouldn’t do in your personal life, then you should have sent Fuentes in as the model and you posed as the photographer. You’re trained in using a camera to record evidence – it would have been a piece of cake.

“And let’s face it, Epicine is one hot as hell hunk. With those high cheek bones, he just screams high fashion model. Not saying your ugly or anything – you are pretty enough, Todd, but models have to be more than pretty – they need something special, that X-factor. He was the obvious choice to pose as the photographic model rather than the photographer.”

She paused a beat before observing mildly, “Seems you’re equally guilty of stereotyping people based on their gender and/or you’re so rigid in your thinking that you aren’t prepared to think that other people, like your partner, can have valuable insights into how to deal with situations,” Cassie concluded her analysis, somewhat disparagingly.

“Thanks… is it Special Agent Yates? You are, of course, absolutely correct. It was clear that Agent Todd never even stopped to consider if there was more than one way of carrying out their mission instead of disobeying orders. That sort of closed mindedness does not aid you when you are undercover. If you remember, we discussed the importance of mental flexibility and thinking outside the box, but her actions demonstrated the exact opposite.

He looked at her speculatively. “Personally, I’d consider myself lucky I didn’t score zero out of ten for that performance. Now let’s look at the second scenario for this team.”

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Tom had unobtrusively made his way into the training session towards the end of the group debriefs and critique session. He’d generally heard positive feedback from most of the agents about the training. He did get a ‘please explain’ phone call from SecNav, no doubt Agent Warren had been in his ear, bitching about having to go undercover in a gay bar with another male agent. Tom had pointed out the hypocrisy of Warren trash talking female agents constantly and only wanting to work on all male teams, but during the undercover training he wanted to work with a female because he was more homophobic than he was a misogynist. He’d further pointed out that if Agent Warren couldn’t handle a training scenario set in a gay bar, how the hell would he handle a real case where the victim was not of the same sexual orientation as he was.

SecNav conceded that Tom had a valid point and was quite embarrassed to have interceded (interfered) ending the call pretty damned fast. Morrow was expecting to get another call from SecNav at the conclusion of this training session. Special Agent Ted Warren was not going to be a happy camper.
Dr. Watkins sauntered over to stand beside him. He looked at the psychologist inquisitively. “How did it go?”

“Oriana was eloquent and very persuasive. She doesn’t fit the stereotypical ideal for a trans*gender person and that made her message much more poignant and hopefully, more powerful. It’s not fair but, unfortunately, it’s a fact of life that attractiveness influences people,” Janet reflected cynically.

“Not that she will have changed the opinions of true bigots like Special Agent Warren, but for other less dogmatic individuals who are merely ignorant or intellectually lazy, she shattered a lot of myths.”

“The million-dollar question is, did we make a difference to those two over there?” Morrow wondered aloud, indicate Agents Todd and McGee.

The slender psychologist shrugged noncommittally. “McGee, possibly. Despite his much hyped intellect, he falls into the category of intellectual laziness. Paired with the fact he is far too easily led by anyone with a domineering personality and my recommendation would be to make sure that anyone he is assigned to work with has an impeccable moral compass, especially his team leader. Someone who is authoritative NOT authoritarian.

“As to Special Agent Todd, I am far less sanguine about her transformation, to be honest. Watching her in the field has been illuminating. I can see why her psychological profiling is so flawed. Once she arrives at a conclusion, she has difficulty in shifting her position if she is wrong, which is the antithesis of what a good, not even exceptional profiler needs to be able to do. They need to form hypotheses, test them out, discard ones that prove to be false or incompatible with the evidence at hand and form new ones until arriving at the real profile.”

Tom smirked, not only had she described the process of profiling, but listed the key components of investigating too. Far too many investigators developed a theory and then used a sledge hammer to try to make their theory fit the crime. The so-called square peg in the round hole syndrome – and it was also precisely what got innocent people sent to jail for crimes they didn’t commit because of investigators who made the evidence fit their theory rather than the other way around.

While he could see that Caitlin’s concrete thinking and self-assuredness, even when not merited, would appeal to Gibbs equally material thinking and conviction that he was always right, they were not necessarily good attributes for an investigator, especially one on the MCRT.

“So, I’m not sure if Todd will be willing or even capable of making the necessary conceptual
adjustments. Time will tell,” Watkins observed philosophically, breaking into his mental musing.

“I think we need to settle for small victories. We can’t expect to win the race straight off, just completing it is a win,” Tom opined somewhat pessimistically. “The rest is all on her.”

Based upon this conversation he’d already decided that Caitlin Todd was going to have to face a full psych. evaluation, including exploration of the business at the Secret Service before her probationary period was up. Plus, he was mentally running through teams that wouldn’t corrupt Timothy McGee when he was promoted to field agent status. If he was promoted, he corrected himself and he hadn’t decided if that was feasible yet.

Although Gibbs hadn’t come right out and said it, hell he doubted if Jethro’s right hand every knew what the left was doing. Still Tom was pretty sure Gibbs had his eye on McGee for the fourth place on the team – and Abby, if scuttlebutt was anything to go by, was putting pressure on Gibbs to let her toy-boy join the team. Clearly in the wake of Janet’s comments, that would not be a good thing, not for McGee, not for the agency and not for the core stakeholders of NCIS.

“True, but I think this last disclosure might just blow some of them all out of the water,” Janet observed playfully. Tom resisted the impulse to roll his eyes at her gift of understatement. Warren at the very least was going to go bat-shit crazy!

Watkins suddenly became serious. “Speaking of changing opinions, I noted that while Agent Warren is the standout example and is certainly an equal opportunity bigot, there are others who aren’t quite as blatant. But in observing them during counselling sessions and also watching the footage from the training sessions, some other agents have exhibited varying levels of prejudice, narrow-mindedness, racism, intolerance, and misandry and misogyny.”

Tom looked solemn. “I know, Janet. I think that we should develop some plans to deal with that long term. Perhaps we should tackle homophobia next or racism, although all forms of bias and intolerance are obviously unacceptable in a federal law enforcement agency.” He paused, trying to maintain a serious expression. “Would our misandristic personnel include Caitlin Todd, perchance?”

“It would, Director Morrow, along with several of the evidence clerks. Their constant insistence that they are victims of male chauvinism or even misogyny when the truth is they are crying wolf makes it harder for real cases of sexual harassment and discrimination to be taken seriously when it does occur. And make no mistake IT does occur. The frustrating thing is there will be real misogynists out there making female employees’ lives a living hell but who are too cowed to report it and if they finally do, are less likely to be believed.
He nodded. “Point taken, Doctor.”

He looked around as the two trainers started wrapping up their groups and instructing them all to form into one group again. It was agreed that Tom would end the training session with a few words - making it clear that he was on board with the training program in its entirety. He knew that at the very least there were going to some very pissed off agents and possibly a ropeable SecNav.

As everyone settled, Morrow strode to the lectern, although he wasn’t using notes. Looking around the room, he could see that most of the agents looked reasonably happy. It wasn’t realistic after a debrief and assessment that everyone would be thrilled with their performance or the critique they received, but overall, he had a sense that his agents felt their time had been well spent. He’d know more when they analysed the feedback forms.

“Thank you all for your attention during this staff training program on undercover skills. I’d like to thank Dr. Janet Watkins for her contributions to the training and for her support and counselling during the last couple of weeks, which have been difficult times for us all. Thanks also to Johan Sorenson for running this training course and thank you to Anthony DiNozzo for his assistance and expertise today, plus all the efforts of the aforementioned trio for developing the undercover program. Dr. Watkin, Mr. Sorenson, and Special Agent DiNozzo are to be congratulated for such an innovative method of training.”

“I’m sure you have all gained a lot of theoretical and practical knowledge over the two- day program that will assist you in your day to day work. I’d particularly like to thank Oriana Sinclair for her generosity in sharing her intensely personnel story with you all.”

Polite clapping ensued from many of the agents present

“Trans*gender people have learned to hide who they are by remaining in plain sight – they develop undercover skills too. We can learn a lot from people who, for whatever reason, need to hide their true selves.

“More importantly, as federal agents, we often see people at their most vulnerable. We learn their deepest, darkest secrets and I expect you all to treat their secrets with the same discretion you would expect if your own skeletons in the closet were to see light of day.” Tom observed, seriously as he stared around the room at the agents.

“We all of us have things we aren’t proud of or don’t want made public and unless the people we are investigating are a danger to themselves or others or have committed a crime, then I expect you to treat their information and the individual with respect and discretion.
“Even when they are criminals, I expect you to behave with maturity – not bring our agency, our profession, into disrepute by making juvenile, ignorant, or grubby remarks that disrespect people who have already had to face far too much hate and discrimination,” he stated very sternly, directing his directorial stare at two junior agents.

“I don’t want to hear that sort of hateful garbage in my bullpen again, Agents. I was extremely disappointed in some individuals’ behavior. Next time, I won’t hesitate to kick some butt. So, at the risk of sounding like a parent of adolescents - think about your words and start acting like federal agents.

“And finally, I’d like to thank our ringers - Laurena Hays and Alex Fuentes, for their invaluable assistance during the undercover training sessions.

One of the audience interjected. “His name is Epicene, Sir.”

Everyone was shocked when Tom cracked a huge grin. “No, actually, it was Alex’ undercover name – and a huge clue. Laurena and Alex aren’t agents. They are actors who belong to a New York theatre group called the Epicene Players.”

There was a stunned silence as the audience of agents processed the information that they’d been punked… by amateurs! Well actors but definitely not agents.

“Remember, I said that the trans*gender community had skills that you all could learn from? Laurena and Alex are chameleons, professional actors who were posing as NCIS agents. As Oriana made abundantly clear, trans* people have to learn to hide who they are by hiding in plain sight, something which is a classic undercover skill. Never forget that the people we chase – the sociopaths, monsters, and murderers also hide their real selves behind their own masks too. Understanding how to hide in plain sight will make you all better agents…”

Ted Warren stood up. “You set us up? You let me think that… that... FREAK was a real woman.” He gestured rudely at Hays before stalking out spluttering a string of expletives.

Tom looked distressed. “My apologies for that ignorant and rude outburst, Alex, Laurena, and Oriana. I appreciate all your assistance and assure you that you have made a difference with your kind contributions. Please, everyone put your hands together and thank everyone who helped make this such a valuable training program.
Generous applause followed and Tom noticed as the audience started rising, exchanging conversation and laughter that most of the agents seemed to handle the news about the ringers and their real identity with aplomb. Apart from two very stunned looking junior agents who remained seated looking flabbergasted.

Making his way over to Sorenson and Sinclair, who were standing chatting with Janet Watkins, Tom made eye contact with the psychologist. Gesticulating at Todd and McGee who by this time were whispering to each other, he asked, “Have we broken them?”

She smirked somewhat unprofessionally. “Maybe. We definitely rocked their world.”

The others chuckled, watching the pair. Tom shook his head before stating, “Special Agent Yates made a formal complaint to Peggy Francis in HR. She heard them carrying on during the scenarios about DiNozzo kissing Reed and was not impressed.”

Janet nodded. “She’s struggling with her grief, which is not surprising, along with Gibbs. I recommend both have extra counselling. As to Ren and Stimpy,” she pointed at the junior agents, “I’ll touch base with them, make sure they are okay, debrief both of them as we discussed beforehand.

Johan interjected chuckling. “Give it a while, Doc. Think they’re still processing.”

Oriana nodded. “I reckon, but I think they are about to get one more shock right about now.” She gestured at Tony making his way up to the room, smiling and exchanging remarks with various agents.

Tom noted DiNozzo been at the back of the room with Balboa, Yates, and Dee Masterton. The Cyber Department had notified Morrow that the trio had twigged that there was something up with the two ringers. Balboa of course was a highly experienced agent, and while he couldn’t put his finger on it, he’d obviously thought something didn’t add up and went searching the NCIS data base looking for an Agent Hays and Fuentes.

Cassie Yates had also spent time talking to the pair and similarly felt that something was off. Having spent the last few months honing her own undercover skill, her intuition was ping ing that something was slightly awry with the pair but couldn’t put her finger on it. So, she’d Googled them and found Laurena Hays bio, soon twigging they were being scammed by two professional actors.
Masterton also figured it out, not so surprising since she spoke fluent French and knew that the definition of epicene was having characteristics of both sexes or no characteristics of either sex; of indeterminate sex. It seemed odd for a Latino guy to have a French name, particularly that meaning and she’d also checked him out via Google. She didn’t find an Epicene Fuentes who was a special agent – she couldn’t find anyone of that name. She did find an Alex Fuentes who was an actor with the Epicene Players of New York – a trans*gender theatrical group.

As Tony approached the quartet standing beside the lectern, he was grinning broadly. “Ana,” he said exclaimed joyfully. “Looking gorgeous, Bella. Thanks for doing that.” He grabbed her and gave her a fierce hug as she kissed his cheek fondly.

“Only for you, Tony. You owe me big-time for that… oh and by the way, Sapphire wanted me to – and I quote – kiss you senseless when I told her what I was doing. Said the next time you were passing by to drop in and shoot the breeze with them all.”

He nodded. “I will, I promise the next time I’m in Baltimore I’ll look her up. You’re looking great; the Catskills obviously agree with you.”

Oriana nodded. “It’s a great place to write. People are friendly. You should come up and stay for the weekend sometime.”

“Thanks, if I ever get a weekend off, I just might do that.” He grinned. “It’s crazy at the moment.”

Janet and Tom were only half listening to the conversation – they were watching Cate and Tim, whose eyes had nearly bugged out of their head when it became clear that Oriana and Tony were acquainted and were sitting watching the conversation, jaws agape. Finally, able to string words together, they began whispering furiously.

Meanwhile, Agents Dobbs, Elias and Barnes wandered over to stand behind the two beleaguered agents. They spoke just loud enough for Cate and Tim to hear.

“Ain’t karma a bitch,” George observed to Kerry and Will ironically.

Kerry chuckled. “Wonder if those two are feeling quite so smug now.”
Will nodded, “Well looking on the bright side, at least they can stop hassling DiNozzo, asking how it felt to kiss a trans*gender person since both of them know now.”

Kerry nodded seriously. Yeah, that’s true. So, what do you think will happen with that wanker, Warren?”

Will scowled. “If there’s any justice in the world, after that disgusting public display and the way he carried on interrupting the Director, then it will be the last we see of him.” There was no love lost between the African America agent and the openly racist Warren. Dobbs would be glad to see the back of him and he wouldn’t be the only one.

“Yeah, if he doesn’t resign, then they’ll surely toss him to the curb this time, despite SecNav.” George declared lugubriously. “Good riddance as far as I’m concerned.

Kerry Barnes grinned. “Maybe he won’t be the only one who’ll decide that it’s too hot for him here, she remarked, casting a rather obvious glance at the pair of miscreants trying not to look as if they were eavesdropping on the other agents’ conversation.

A rather difficult feat since the three experienced agents were deliberately standing close enough to be heard.

Chapter End Notes


N.B. the research that I quote within the story IS NOT relevant to 2004 when this tag took place – I chose to use 2017 data when writing this. The more up to date data was probably also more accurate and reflective of the issues back in 2003 too, considering it was even less socially acceptable to identify yourself as trans*gender 13 years ago. I don’t usually do that – I try to keep songs, movies, technology, even research etc. relevant with the year I’m writing about. In this case though, I felt it was important to quote more recent and accurate statistics than it was to stay true to the stats that were around in 2004.
Chapter Summary

Takes place after Gunnery Sergeant Atlas’ release from the sewer system by DiNozzo when he is abducted by a serial killer bent on revenge for the death of her friends in a shipping crate.

Chapter Notes

Thank-you to everyone for their comments on the last chapter. The next tag is one that for the longest time I was worried about – obsessing on what I would write for this episode. After all, there have been so many fanfics written about Missing and I always try to come up with something fresh, so I was not looking forward to this one. Until I came across a piece of research one day and then the plot bunnies came rushing out to play. I know I have said that each of these tags are stand-alone and won't result in a sequel, so if someone wants to write one they have my permission… but I'm revoking my invitation that for this particular tag. All bets are off for Nonpareil – I'd really like to write a follow-up some time in the future as this plot has fired up my muse.

Warning: This tag contains cross over characters although it isn't a crossover story. I've chosen not to name them in the characters list because I don't want to spoil the surprise. I've also been advised that for some of the tags in this series, the appearance of crossover characters – JAG and CM are not canon compliant with regards to the timelines.

I hope you enjoy this one as much as I enjoyed writing it. a definite change of pace from the last tag...and shorter. Thanks as usual to the unsung hero - my beta reader Arress!

Mea culpa - I just realised that I neglected to to give credit where credit was due. In the third last scene much of the content was either written by Arress or inspired by her thought processes. Bad Sundance!

See the end of the chapter for more notes

Series: There's Always Tom Morrow

Title: Nonpareil

Episode: Missing


Nonpareil
Anthony DiNozzo muttered something to the bullpen at large about showering, and wandering down to the showers and his locker to get clean clothes. He was desperate to wash the sewer and the stench of death off him, if that was possible. As an experienced homicide investigator, he wasn't feeling terribly sanguine about his chances but he could at least get rid of the physical grime of his abduction and incarceration.

His announcement of his intention to hit the showers drew a rash of sarky comments from his colleagues.

"Oh, thank the Lord. You're rife, Tony."

"I didn't want to mention it, Cate, but he smells like a septic tank."

"I think you mean the sewer, Tim"

"Well whatever, he reeks to high heaven."

"Hurry up and go, DiNozzo… you're stinking up the whole bullpen. It's so disgusting…

Although he heard Cate and McGee's joking comments about him smelling bad, he wasn't in the mood to laugh. Being dragged through a sewer while you were drugged into unconsciousness and waking up to find yourself locked into a cell-like room down in the sewer with a decomposing corpse and an almost corpse as your new companions was not exactly the most humorous of circumstance.

Climbing into the elevator from which he'd alighted from a mere 30 or so minutes before, he felt his limbs were leaden… heavy. It was incredible what a difference half an hour makes – when he arrived back from the sewer, he was bouncing around on the balls of his feet, his body thrumming with a buzz that made him feel like he could go on forever.

Tony could barely manage to keep his eyes open; he wanted nothing more than to be home in his apartment where he was safe.

Safe from the smell of death.

Safe from the memories of young Filipino women – more girls than women. Left to die of dehydration and starvation in a shipping container amidst the Pacific Ocean.

Safe from the harsh jokes of his team – although strictly speaking, McGee wasn't a teammate – he was a workmate or colleague.

He figured that Vanessa the barmaid had drugged him with BRON, like her other victims, so he reckoned that the high he'd been experiencing was probably a combination of BRON and adrenaline from the flight or fight survival mechanism that enabled him to escape that torture chamber and drag Gunnery Sergeant Bill Atlas through the maze-like tunnels of the sewers and save his life.

Now he recognised that what he was experiencing was an adrenaline dump where his adrenal glands were finally catching up with the concept that he was no longer in danger and it was safe to relax. Having depleted his body of not only adrenaline, but other stress hormones such as cortisol, his body was fighting back sternly and demanding that he stop and let it recover.

Unfortunately, he knew that he could never relax or get proper rest while he could still smell all the foulness of the sewer and the poor guy who'd died down there on his own. Who knows how long it took him to die of starvation – although realistically, he would probably have died of dehydration first.
Tony desperately needed to get himself under the hot water – the hotter the better - and try to wash away as much of the nauseating odour that hung around him like a clingy but unwanted lover.

Unfortunately, he knew from bitter experience working other crime scenes that decomposition odours clung to your body, working its way into your pores, sticking to even the fine nasal hairs, which meant you could smell the perfume of au de corpse for days or even weeks later. Perhaps he wasn't normal… maybe he just had a vivid imagination, but he knew that at the very least he could get clean and change his clothes. That way other people wouldn't throw up when he emerged, ready to work.

As Tony alighted from the elevator, he recalled the jokes cracked at his expense about his stench. Cate telling him to hurry up and leave because he stunk up the bullpen. How disgusting he was. It wasn't a new refrain from their probie. 'DiNozzo you're a pig... you're disgusting,' was a common enough rehoration that found its way past Cate Todd's lips fairly frequently.

You're disgusting, DiNozzo...

Chase anything in a skirt... you're disgusting you know

How was it kissing a he/she... keep it in your pants, can't you... you disgust me

Was he/she your type... oops my bad... anything with a pulse is your type.

Suddenly he had a flashback to kissing Amanda Reed, aka Lt. Cmd. Voss, except in his vision she was attacking his mouth while stabbing and disembowelling Special Agent Christopher Pacci, searching through the blood and gore of the elevator looking for his SD digital photo card. The scene went on and on, the blood gushing out of him like a river and Chris was desperately trying to stuff his small intestines inside his gut, while she continued pulling them out. Meanwhile, Amanda was continuing to attack Tony's mouth, her teeth like tiny needle sharp razors feeding off his mouth as he desperately tried to escape.

The more he struggled, the more violent she became… with him and Pacci too. Until finally, Cate appeared, sidling up so she could murmur mockingly in his ear, "So, what's it like to kiss a he/she, DiNozzo?"

Meanwhile, as she smirked at Tony, she seemed completely impervious to Pacci who was flailing around on the ground in agony. Desperate to help his friend and fellow agent, he tore himself away from her, ripping great pieces of his flesh off his face in the process and Amanda proceeded to devour them clinically.

He dropped down to help Chris and right before his final breath, Pacci locked eyes with Tony and asked plaintively, "So, DiNozzo, what's it feel like to kiss my killer? Kiss the murderer of a federal agent?"

Suddenly the scene changed and they were at Chris' grave. As he was being lowered into the six-foot hole, he sat up in the coffin and pointed his finger at Tony. "You could have saved me, Tony, if you hadn't been such a manslut."

Cate was smirking at him. "Hope it was worth it, DiNozzo. You disgust me!"

"He's a whore, Cate. What did you expect? He's disgusting," Gibbs declared, walking up and slapping him upside of his head, propelling him to fall into the grave with Pacci. "I wish I'd never hired him. All he's interested in is getting laid."

When can I have his desk, Boss?"
"He's alive, McGee."

"But you said I could have his desk, Boss."

"I know... I'm sorry... I thought he was dead... this time."

"But I like this desk... plus Abby wants me to stay in DC."

"I know. Don't worry... Tim, I always keep my promises."

"We just have to get rid of the chauvinist pig, Gibbs. He stinks up the place too much."

Tony grabbed Gibbs by the arm. "No... stop... you said I was irreplaceable... you said you were worried about me."

"You misheard me... I said you were replaceable and we were going to. Vanessa was supposed to make sure you didn't see the light of day and McGee was going to have your desk."

"You always have to mess it up for everyone, don't you, Tony. Why couldn't you let me have your spot?"

"He's selfish... has to be the centre of attention. But you know Tim's smarter than you, don't you, Tony."

"A box of rocks would be smarter than DiNozzo, Cate."

"When can I have his desk, Boss? You promised."

"I know... I was sure Amanda Reed or Vanessa would kill him for us."

"Don't worry you two, all we need to do is find a pretty girl and his dick will do the rest."

"He's a male chauvinist pig... he's disgusting."

Tony reached out from the grave. "No, Gibbs... you depend on me to watch your six."

"And look what it got me – a through and through and you let that dirt bag get away. So, I've decided to start over and train McGee up right to watch my six."

"Yeah... Timothy is smart; he doesn't kiss cop killers, he won't be off flirting with murders while you're getting shot by terrorists, Gibbs."

Suddenly the corpse from the sewer joined into the conversation. "Can you believe him; he was flirting with Vanessa while I was lying in the sewer rotting."

Gunnery Sergeant Atlas was there too, shaking his head at him and looking revolted. "Yeah, well, at least you were dead. I was slowly dying of starvation and all he could think about was flirting with a piece of skirt as I drew my last breaths. It's disgusting!"

Racing to the head, Tony began to throw up violently as the voices all hammered away inside his head. They hated him, but he couldn't blame them; he'd let them down. His father was right... he'd ended up in the gutter and hurt everyone he cared about.

Ten minutes later his head had almost stopped ringing and his stomach ceased heaving at last as he hauled himself to his feet, and then it hit him... suddenly.
Gibbs was hoping he wouldn't come back because he'd given his desk to McGee. He wanted the rookie from Norfolk to watch his six.

Gibbs had sent him off to follow Major Sacco, who was their chief suspect at that time, without backup.

Without backup?

And yet the very last case they worked on, Chris had been killed because he was following a cold-blooded murderer… without backup.

A coincidence surely?

Hell, no. Gibbs didn't believe in them! He reached over and gave himself a head slap for being so stupid.

Gibbs was all knowing – always knew so much more about their cases than he shared with the team – loved to pre-empt them with the clues they'd just unearthed to prove that he was better than they were.

Did the boss even suspect Major Sacco by that point or did he already know that the seemingly benign barmaid Vanessa was their murderer when he sent Tony out to follow him. Was he hoping the barmaid would kill him too if he was sent out alone?

That seemed awfully hit and miss. *Forget about it, McGee. He's still alive!*

Maybe Gibbs had co-opted her to kill him. They were in it together – Vanessa, Gibbs, and McGee. Was Cate in on it too? What about Abby? She was dating McGee - he even got an ass-tatt or a tat-ass for her. What about Ducky or Tom Morrow – hey… he just realised, he was Director Tomorrow. Wonder if he realised that? Perhaps he should tell him.

Slapping the back of his own head again, he yelled, "Focus! DiNozzo!" See, that's why Gibbs wants you gone, Anthony. You're a dumb ass… no wonder he needed McGee to be his 2IC. He wouldn't let Gibbs get shot or lose focus because the director has an amusing name.

*But Gibbs wouldn't conspire with a murderer, even if he did want to get rid of him. Especially someone who was killing off his beloved Marines. No way would he do it. Hang on, unless…*

Those Marines who were being killed by Vanessa – they weren't exactly innocent upstanding examples of the Corps. They'd allowed their girlfriends, most little more than children, to die of starvation aboard a ship. If there was one thing that got Gibbs' anger going, it was when kids and women were hurt or killed. Maybe the boss thought that what Vanessa was doing – getting revenge for all her friends who died such a horrible death, was justified. Perhaps he agreed to turn a blind eye to her vendetta if she took care of Tony too. That made much more sense.

Or alternatively, what if Gibbs had used him as bait so Vanessa would lead them to where she had stashed Gunnery Sergeant Atlas – *wonder if Atlas' nickname was C1 cuz the name of the first vertebra which held up the head… the noggin…the skull… the cranium was the atlas vertebra? FOCUS!*

Yeah, so he was the bait and with a bit of luck, Tony would lead them to Gunny Atlas and Vanessa would shoot him with his own gun. That would show everyone what a joke he was as a federal agent.

After all, ever since Cate joined them, Gibbs seemed to be unhappy with his performance. Then
McGee turned up after a case in Norfolk and started going out with Abby and suddenly Gibbs is giving him his desk. Maybe Abby was in on the plan to kill him because she wanted Tim to be in DC. They probably wanted to live together and with him stationed at Norfolk that wasn't very practical, so she'd convinced Gibbs to put TAT (Timmy-Ass-Tatt) on the team.

After all, it was the worst kept secret in NCIS… in Delaware County… in the good old US of A… Planet Earth… the Milky Way that Abby was as good as Gibbs' daughter and he'd do anything to keep her happy. If Abby wanted McGee to have Tony's spot, Gibbs would make it happen.

Then again, maybe Abby had nothing to do with it and the boss was simply fed up with him because he was such a screw up at his job. Because, what self-respecting senior field agent lets their senior supervisory agent get shot by a terrorist? He should have made sure Gibbs was wearing a bullet proof vest or gone into Autopsy in his place. No wonder Gibbs was trying to get rid of him – a part of him couldn't blame the boss – he was a screw up and pretty damned annoying.

And thinking back, it wasn't the first time that Gibbs had tried to kill him, either. A few months ago, he'd fallen out of a plane at night when Gibbs, who was fully trained to do parachute jumps thanks to his Marine training, dragged him aboard a night time training mission. No way was Tony supposed to be on the highly dangerous night time exercise since the only jump training he had was a couple of stolen moments learning how to land and seriously, at night when he couldn't even see where he was landing, those few minutes hadn't been real helpful. Plus, he was shoved out of the plane far off target from the designated landing zone.

So, the question remained. Did Gibbs drag him on a highly risky exercise because he was just hoping he'd screw up and get killed because he was an idiot and inexperienced – a deadly combination. Or had he actually enlisted some of the Marines to deliberately chuck Tony out of the plane. After all, the chances of an untrained civilian surviving a night time para jump weren't good. Night jumps were considered high risk, which was why the elite paratroopers practised the skill so frequently.

And Tony realised now he knew what to look for, that it wasn't the only time before today that Gibbs had tried to make a position on the team for McGee by arranging for Tony to be killed. The exhausted agent vividly recalled confronting the sniper who was killing the Marine recruiters in a shoot-out in a grungy alleyway where he was alone with no one to watch his back in a shootout. And since the sniper had managed to kill two Marines, they already knew he was extremely dangerous.

Sure, Gibbs and Cate were undercover inside the recruiter's office, but it was a joint task force with the FBI, so really, there was no excuse not to have another agent backing him up. Not unless Gibbs was hoping the sniper would take him out. Yes, Gibbs hated working with feds from other agencies, or even agents from NCIS who weren't his handpicked team, but he wouldn't have had to work with them. Tony would have been the one to be partnered up with the fibbie, not Gibbs, or if it came down to it, he could have borrowed one of their own agents for the stakeout. Hell, Gibbs was happy to borrow McGee when it suited him, so why not this time to watch Tony's back?

When Gibbs, Cate, and the FBI agents arrived at the alley after the shootout, were they expecting (hoping) to find him dead, shot by the sniper?

Were they disappointed?

No, Gibbs was pissed – he yelled at Cate… some crap about not stopping to put on her cover when she ran out of the office.

Wouldn't want her to bring the Corps into disrepute by pretending to be a Marine and then appearing
outdoors naked… well, the way Gibbs went off, she might as well have been stark naked. Of course, that was way more important that having his six.

So, he was supposed to be going down to shower and change into something clean, but seriously, how safe was it for him to be here and vulnerable in a shower? He'd be a sitting duck for Gibbs and McGee to have another crack at getting rid of him. He needed to get out of here, get help, find someone who would believe him because it sounded totally hinky. Maybe Balboa or Pacci would help him. No, not Pacci, he was dead… dead because Tony had been swapping spit with Amanda Voss, no Reed, when Chris needed his help.

Pacci was a nice guy, a really nice guy. He would have helped him if he asked, but now he was dead and everyone else probably hated him for making out with his killer while he was dying. No, that wasn't right, was it? He was so confused and he needed to figure out what to do. He was supposed to let Ducky check him out, but he felt too vulnerable in Autopsy. Ducky talked to the dead and made sure that they found justice, but what of the living? Would he listen to Tony if he wasn't dead? And he was Gibbs' friend, could Tony trust him – he wasn't sure.

Finally deciding that he couldn't risk taking a shower and a change of clothes in the NCIS locker room, nor could he risk going to see Ducky either. He would have to find someone else to help him, but he needed to shower – the stench of the sewer was making him retch.

Tony slipped out of the building via the evidence garage so that he avoided most people still in the building. Grabbing a tarp on the way out, the senior field agent draped it over the driver's seat of his beloved 1990 Corvette ZR1 to protect it so the ooze of the sewer and the odour didn't permeate his precious car's upholstery. Having worked his share of stinky crime scenes, Tony knew if it did pervade the carpets and seats, he'd never get it out.

Once in the Corvette, he drove straight home, knowing that he probably had a head start of 30 - 40 minutes tops before Gibbs came after him. If he wanted to stay alive, (and right now with the degree of betrayal he felt, he wasn't even sure that he did) he needed to duck back to his apartment. He needed to clean up (desperately) and collect one of his backup firearms from his gun safe, since he'd lost his gun when Vanessa drugged him and then used it to kill Major Sacco.

Tony decided that he'd throw some clothes in a bag and collect his emergency vanishing kit – consisting of the things he'd need in order to disappear in a hurry – his backup weapons, numerous false identities, burner phones, and cash to vanish. Then he would figure out who to approach for help. Sadly, he'd have to leave his phone at his apartment because they could use it to track him. He'd need to get wheels too, but that could wait.

~o0o~

Tony had been a little optimistic about how long it would take to be missed by his boss.

Soon after they'd arrived back from locating Tony, Gibbs had disappeared to interrogate their serial killer, Vanessa, the waitress from the bar, leaving his agents to write up their reports. By the time he returned to his desk several hours later it was late and Cate had already completed her report and headed off home. According to Balboa, Abby had come up to the bullpen looking for DiNozzo and ended up dragging Timothy McGee home with her for the night when she failed to find him.

He looked in his inbox for DiNozzo's report and searched his desk and couldn't find it, so finally he checked his email to see if his SFA had emailed it to him, even though he knew Gibbs hated not to have a hard copy submitted. Maybe he decided to piss Jethro off to pay him back for his crack about his desk.
He'd been running around acting like a perfect pest, a Irish Setter on steroids ever since they'd found him, Vanessa, and Gunny Atlas in the sewer system. Even after they'd finished processing the scene hours later, DiNozzo was still running around getting on his nerves and pissing him off. Here they'd been, busting their gut for hours trying to find him, thinking he was dead, and then after they'd found him he was annoyingly fine. To top it off, the ex-cop kept bouncing up and down in the elevator, demanding Jethro tell him he'd been worried when he went missing.

The bottom line was that Gibbs hated it when anyone tried to tell him what to do, hated having anyone force his hand, wanting to dictate what he should think or feel. But lately, after the fuckup with the terrorist smuggling himself into Autopsy in a body bag, thereby getting one up on Gibbs, and then Chris Pacci getting killed by some greedy, murderous dirt bag, the veteran agent was angry. Okay... he was angrier than usual. But more importantly, he was even less inclined to allow anyone try to back him into a corner and make him show his vulnerability, especially emotionally. Fuck that!

Pissed that somehow, despite having no intention of letting slip how worried he'd been about his annoying and childish SFA, DiNozzo, god damn him, had somehow managed to worm it out of him. Jesus, Jethro. Telling him he was freakin' irreplaceable? He'd never let the team hear the end of that confession – you weak SOB.

Furious at himself for being such a damn-fool sap, but mostly at DiNozzo for being so damned needy - an emotional vampire - he struck out hard at the agent, to punish him. Needing to pay him back.

Spying the geeky kid from Norfolk gave him an idea. McGee was still sitting at DiNozzo's desk - and why the hell was he still here anyway? He called over to him, 'Forget about it, McGee, he's still alive!'

Gibbs wasn't sure which expression was the most priceless, McGee's caught in the headlights - what just happened and can I please just crawl under the table or will the ground open up and swallow me look - which was utterly priceless. Although DiNozzo's was equally satisfying too and told Jethro he'd struck one of his soft spots – he went from wearing a light-up-the-room, self-satisfied mile-wide grin to a look of shock, disbelief, horror, panic, and dejection. It was so damned funny, but unlike McGee who couldn't school his confusion and fear to save his life, Tony unfortunately could. All too soon his emotional distress became a mask of studied indifference.

Still, to have provoked what was for DiNozzo, such a dramatic reaction to Jethro's crack about him not being dead was pure gold as far as Gibbs was concerned.

Feeling much less angry, the team leader settled down at his desk to check once more on the progress of the search for the terrorist who'd invaded his territory and taken his people hostage. When Jethro returned after the successful interrogation of the waitress after her confession, he felt a weight lift off him at wrapping up yet another case. Now he could refocus on finding that smug MF terrorist who managed to outwit him, although he was determined to have the last laugh.

Gibbs pushed away the pesky flicker of guilt about the now empty desk over the other side of the partition which up until last week had been Christopher Pacci's desk. Focus was necessary to catch monsters, he'd shown that when he took out that freak, Kyle Boone, proving that sometimes you had to just eat, sleep, and breathe a case to catch a killer, or in this case a terrorist. Sometimes there was collateral damage during warfare and this was a war. Pacci would be the first to understand that.

Curious about his agent, Gibbs wandered over to Hank Balboa's desk to speak to him.

"Is DiNozzo still around?"
"As far as I know, he went to have a shower, but that was a couple of hours ago. He hasn't come back yet."

"Probably gone home in a huff because of what I said. I'll put my foot so far up his ass when he comes in tomorrow, he'll have hiccups for leaving without doing his report," Gibbs threatened. "Everyone else wrote theirs up before leaving… even the green probie from Norfolk. Maybe I should hire him and toss DiNozzo out on his ass," he muttered, making his way back to his desk and sitting down, his attention once again captured by the flashing display of faces.

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Hank couldn't believe the crap that was coming out of Gibbs' mouth. DiNozzo had been drugged, abducted, and pursued by a serial killer who subsequently tried to kill him and Sergeant Atlas when he managed against the odds to escape. If Tony had gone home without completing his reports, well, good on him. No one, apart from Gibbs, would have expected him to finish them tonight anyway, but he definitely hadn't returned to the bullpen to grab his stuff.

More concerning to him, though, was Jethro's threat to sack Tony and hire McGee in his place. Gibbs was so full of shit – there was no way he'd carry out his threat, first and foremost because he depended too much upon DiNozzo. But the amount of harm he would do to his working relationship with his SFA (who in Hank's humble opinion was a saint to be able to work with Gibbs) was immeasurable. Especially currently with his latest obsession, which was horrendous for everyone around him, DiNozzo was even more vital than ever.

"I'd have seen him if he went home," Balboa objected, standing up and heading into the MCRT's bullpen to check out DiNozzo's desk. "His jacket is still here plus his creds and weapon. Maybe he got into trouble in the showers?"

Sighing when he received no answer, verbal or otherwise, he checked Gibbs out and found him hypnotized… again. This was getting ridiculous. How the hell had Gibbs gotten cleared to return to work anyway? There was no way he was capable of juggling all the balls an SSA needed to be able to care for their team, plus work the cases that came in… not while he was so obsessed with learning the identity of the terrorist.

Shaking his head, Hank felt irritation at Gibbs' damned obsessiveness – like he was the only one who cared that the agency had been infiltrated so effortlessly. Obsession wasn't the most effective measurement of how much someone cared or how effectively they could function. The way Gibbs carried on, though, he acted like he was the only one who could or would be capable of tracking down their terrorist – he could be such a damned arrogant dick.

Meanwhile, Gibbs' team was floundering, basically they were out of control. DiNozzo as the loyal 2IC tried to hold everything together, but Todd needed a good kick up the pants and Abby was trying to pull a fast one, getting her boyfriend from the Norfolk Field Office hired on to the MCRT. She'd been hinting to Gibbs that he really needed a full-time computer geek, but she'd only started suggesting it once Michael Jackson aka Timothy McGee started running around like an overeager puppy, wanting to please her.

Cate accused DiNozzo of being his lapdog, constantly looking for his approval, but Balboa didn't see her getting on McGee's case. Maybe the militant agent thought it was fine for him to disfigure himself with a tattoo just to impress Abby because she was female. Or did she think was it okay for the lab tech to exert power over the poor sap because he was a guy being humbled and she was female doing the patronising, because the ex-Secret Service agent didn't seem to have a problem with reverse discrimination. Double standards much?
Balboa had noticed that Tim had certainly been hanging around the Navy Yard a lot lately for someone who was assigned to the Norfolk Base Field Office. And another thing, Gibbs had called him in TAD to help search for DiNozzo after he'd been abducted. Since it was 195 miles by road from Norfolk, VA, to the Navy Yard in DC, basically a three-hour drive, so how the heck had McGee turned up so promptly to join the search for DiNozzo when he went missing?

Based on what he'd heard tonight, he wouldn't be surprised if the MCRT gained itself another newbie soon. While Hank figured that they could probably do with another experienced agent, especially since Gibbs had pretty much checked out, he wasn't convinced them acquiring yet another probie right now was a good idea.

Probies were a lot like kids, cute at times and fun to have around to be able to laugh at their naivety, to tease and make them gas the truck, but it was also time consuming training them. Plus, like babies, having them too close together was a lot of work for the grown-ups, especially when it came to potty training. All jokes aside, the MCRT was supposed to be the agency's premier investigative unit for MAJOR CRIMES – not a kindergarten class for probies.

Standards had already slipped with Todd's hiring, and combined with Gibbs' obsessive need to get even with their anonymous tango and his basically checking out. That wouldn't improve if Jethro took on a second raw recruit. This situation tonight was a prime example of slipping standards; no one seemed to know (or care) about DiNozzo – where he was or, more importantly, how he was.

Sighing a second time, the SSA realised the futility of expecting Gibbs to see to that particular task of checking on his 2IC, since he was already fixated on his nightly attempt to identify the terrorist. Balboa figured he'd better go down himself and make sure Tony hadn't passed out in the shower. He couldn't believe that Gibbs' SFA been drugged with BRON by the serial killer and Gibbs hadn't insisted he go to the ER and get checked out by a professional.

Sloppy… unforgivably sloppy. Human Resources would have a fit!

Thankfully, when he went down to check, Tony wasn't collapsed in the shower block, nor did he appear to be anywhere in the building when Balboa went looking for him. Worried, he found that Gibbs' SFA must have sneaked out of the building via the evidence garage; without completing his report, which was momentous. According to security, he'd driven out past the security guards at the gate and Hank just hoped he was fit to drive, but surely Ducky would have given him a cursory once over at the very least. Wouldn't he?

Deciding to stop off at Tony's place on his way home, Balboa headed back to his desk to finish up his paperwork which seemed to multiply like bacteria. As he finally shut down his computer and left the building, he tried to engage Gibbs, informing him that he'd been unable to find DiNozzo on the premises, but he was still zoned out. Probably reliving the siege in Autopsy again, he decided in disgust. How ironic was it that he was breaking one of his own precious rules about walking away when the job is done? Still, Gibbs always was a wallower – it almost seemed as if he enjoyed basking in his own misery and anger. Certainly, he seemed to relish making the rest of them suffer along with him.

Stopping off at Tony's apartment on his way home, because Hank thought that based on what he'd gone through today, and his unusual behaviour – ducking out without telling anyone, someone should check and see if he was okay. Unfortunately, although his car was in his parking space, the lights were out in the apartment and Tony wasn't answering the door or his phone. Although Balboa was still antsy about his status, he'd clearly managed to get home in one piece. Probably just experienced an adrenal dump and had gone out like a light.

As the NCIS agent got back in his car and headed off home, he thought back to Gibbs' so-called joke
at least he hoped it was a pathetic joke) about McGee and Tony's desk when they'd first arrive back. The former Marine had the most pathetic sense of humour; no wonder two of his three ex-wives attacked him with sporting implements and one cleaned out his bank accounts before divorcing him and marrying Fornell.

Balboa totally wouldn't have blamed DiNozzo if he'd throttled Jethro when he uttered that crap about still being alive tonight. Totally justifiable homicide! There probably wouldn't be an agent on the floor (apart from the MCRT) that would have blamed him if he had brained the team lead for that crack. More likely they would all have been clamouring to give him a water tight alibi elsewhere or else lined up to take a swing at him too.

Hank decided to have a word with the SFA tomorrow, check that he was okay. After all, someone had to.

He put his car into gear, slipped in the clutch, and drove off.

~o0o~

Gibbs had dozed sporadically through the night, although mostly he consumed prodigious quantities of extra strength black coffee, picking at crappy Chinese takeout, while glaring at his computer monitor as dirt bag terrorists flashed across the screen. Around 0700, he headed down to the showers after rummaging around in DiNozzo's filing cabinet, commandeering a clean t-shirt and pale blue and white striped button down shirt.

Arriving back in the bullpen at 0800, having ducked out to get his obligatory dose of caffeine to kick start his system for the day, he automatically took note of his team. Cate was sitting at her desk, reading her emails. DiNozzo's desk was empty and there was no evidence that he'd been in yet. No jacket over the chair, no backpack under the desk – although his backpack was probably logged in as evidence, since it would have been in the car after he was drugged and dragged into the sewers by Vanessa. Maybe DiNozzo was down in the lab, visiting Abby. Cate looked up as he approached his desk.

"Morning, Gibbs. The director was looking for you. Ducky got called up too and Special Agent Fornell went up to Morrow's office, along with a red-headed woman who didn't look happy to be here," she reported efficiently.

Gibbs grimaced, hoping that the redhead wasn't the former Mrs. Gibbs and soon to be former Mrs. Fornell. Although he couldn't figure out what Diane would be doing here with Tobias since they were separated, Jethro couldn't imagine another redhead they had in common. Taking his coffee cup with him, he climbed the stairs up to the mezzanine level, hoping that perhaps Fornell had come bearing some fresh leads from the siege.

As Jethro entered the director's office, he noticed the temperature was very frosty. Morrow, Fornell, and even Ducky were scowling at him. *What the hell had he done to piss everyone off now?* He glanced at the redhead female, initially relieved that it wasn't his ex-wife, Diane, but his preliminary feelings of reprieve rapidly morphed into anger after he recognised the visitor.

"What the hell is she doing here, Fornell," he snarled at his frenemy and shooting his death glare stare at the young woman in the room.

"Oh, trust me, Gibbs. This was not my idea. Special Agent Fornell dragged me here kicking and screaming, insisting that Director Morrow needed to hear my information firsthand. This is the last place I want to be and you're the last person I want to speak to," Special Agent Vivian Blackadder retorted.
Strangely, it was Ducky who reacted next. "Oh, for Pete's sake, Jethro. Do us all a favour and sit down, shut your mouth, and just listen. Dear Vivian has important news about Anthony. Most disturbing – you really should have let me take a look at him last night, at a bare minimum.

"But you really should have escorted him to an ER and ensured he was medically cleared after his ordeal. Instead, you made him work the crime scene and come back to the office as if nothing had happened. Honestly, my boy, you should know better than that… you do know better," the veteran ME scolded him gravely.

Gibbs looked at his companions as if they'd all just declared that unicorns and dragons were real. "What are you talkin' about, Duck? DiNozzo's fine. He was zipping about like a pinball on Caf-Pow when we found him last night. I had him process the scene to calm him down or none of us would have gotten any peace. He needed to work off the adrenaline," he protested, bemused by all the fuss.

Morrow gave him the look he reserved for particularly clueless probationary agents and barked at him, "If you took such damned good care of your agent, who don't forget, was drugged and potentially a danger to himself, then tell me – when was the last time you set eyes on him?"

Gibbs couldn't understand why everyone was getting their panties in a twist or why the hell Blackadder was here. "Last time I saw him was when we got back to the bullpen and he went to take a shower and bag up his clothes from the kidnapping. He was fine… fine enough to be annoying."

"And this morning?" Fornell queried, his expression curiously blank.

"Well, no... but I went out for coffee." He grabbed his flip phone and called Abby. "Can't talk now, Abbs. You got DiNozzo down there? No, have you seen him today? Okay."

He looked at the four inscrutable faces and shrugged. "So, he slept in. Wouldn't be the first time," he quipped as Fornell glared at him.

"He's not at his apartment. I've already checked, Gibbs."

Getting pissed off, Jethro demanded, "What's he supposed to have done wrong, Tobias. What do you want with him?"

"Oh, it's not him who's in deep shit, Jethro. It's you. Any idea why he approached Special Agent Blackadder in a highly distressed state at her apartment at 10.30pm last night, stating his life was in danger?"

Gibbs looked shocked. "That's bullshit! Why on earth would DiNozzo go to Blackadder's place if he was in trouble? He'd come to me."

Sneering at her former team leader, she taunted him, "So, you didn't know that Tony and I are still good friends? We get together at least once or twice a month, work permitting, and see a movie or go to a concert or have a meal. And you wanted to know why he didn't come to you? That's simple. Tony believes that you're trying to kill him. He's pretty sure you've tried more than once before, but last night was the closest you've come to succeeding."

Gibbs features darken with anger. "What is this? Some bad joke that DiNozzo and you cooked up to pay me back for last night, Viv?"

Viv was angry and as Gibbs was no longer her team leader, she wasn't worried about pissing him off. "Oh, believe me, I have better things to do than waste my time on you. I'm only here because I'm worried about Tony. He's a good guy and there was clearly something very wrong with him last night."
Ducky interjected, "Wrong how, my dear?"

"He was hypervigilant, paranoid. Said he couldn't trust anyone at NCIS because they were either in on the plan with Gibbs to get rid of him or they couldn't stop him because he has so much power. He said he thought about going to you for help, but then he remembered that you were in on Gibbs' plan to kill him too."

Ducky looked confused. "I most certainly was not," he protested.

"So, you weren't there when Gibbs ordered Tony to impersonate a dead football carrier inside a body bag so you both could abscond with the real corpse? You weren't with him when Gibbs phoned him once the body was at NCIS so he could flip the bird to Fornell and the FBI and get Tony tossed out on the Beltway, still trapped in the body bag? My bad… I must have got part that wrong!"

Ducky's face fell. "Ah. Well yes, yes, you're right. I was there, although I didn't suggest Jethro make that call to Agent Fornell. That was foolhardy," he temporised.

"Did you report his dangerous behaviour? Did you explain to Tony that you disapproved of Gibbs' actions? Did you even bother to make sure he was okay? I saw him two days later and he was still stiff and sore. Did you even give Gibbs a piece of your mind about him pulling such a childish stunt and endangering his agent's life for no good reason?"

Ducky looked chagrined and shook his head. "No, I didn't and you're right, it was unforgiveable and dangerous. I should have spoken up; I should have made sure Anthony was all right." He looked across at Gibbs who was looking like he'd like to break something or someone. "That was an incredibly ill-conceived act, Jethro, and I must accept some responsibility for not speaking up."

Viv seeing Tobias looking amused at her smack down speared him with a scathing glare. "And you… if Tony wasn't such a nice guy, at the very least, you'd have been facing a charge of reckless endangerment. And what if he'd been hit by a car or a semi-trailer? What an idiot!"

"They stole my body from Air Force One, Blackadder. It was a once in a lifetime case and they filched it." He pouted childishly.

"And by acting like a stupid dick, you could have ended your career, just because Gibbs always has to be the one on top," she scolded Fornell fiercely. "Do you realise you could have kissed goodbye to your 20-year career and your pension, you idiot?"

Tom Morrow coughed to get attention from the others in the room. "Special Agent Blackadder, perhaps you could explain where DiNozzo is now?"

"Well, the plan was to get him some medical assistance at the hospital, get his injuries attended to, and hopefully have him evaluated for the drugs, until Big Ears here turned up at the ER after I'd finally talked Tony into going to the hospital," she gestured at Tobias. "Tony heard his voice and he panicked. Said Fornell tried to kill him by tossing him out on the Beltway, that he was part of Gibbs' plot to get rid of him. When I went outside to tell him to leave, Tony took off," she revealed, scowling at the FBI senior agent.

Everyone was talking at once, but Tom issued an edict to shut their mouths before demanding, "Why is this the first I'm hearing about injuries? I take it this is in addition to him being drugged?"

Gibbs looked ropeable. "He was fine… I would have noticed if he was hurt."

The female agent, who had worked with him and Tony on the MCRT before Gibbs tossed her out on her ass, shook her head in disgust at his denseness. "Of course he was hurt! He was dragged into
a car by a female perp who weighed… what 115 pounds max, probably less, and DiNozzo is a six foot two inch male weighing approximately 175 pounds. She then removed him from the car at the entrance of the sewer. Do the math! How the hell do you think a tiny female managed to get him down in the locked room under the streetscape?"

Looking at his blank face, she threw her hands up in the air. "She dragged him by his feet down the stairs, so not only did he have numerous assaults to his skull hitting the steps on the way down, but his back and buttocks were covered in a mass of contusions and scratches. The petri dish of bugs and bacterium taking up residence in a sewer getting into any open, broken skin wounds will pose a real concern for blood poisoning if they aren't attended to."

Tom glanced across at Donald Mallard, who looked rather shaken. "Doctor? Is Agent Blackadder correct?"

Nodding sombrely, he made eye contact with each of the males in the room. "I fear so. Vivian is correct that such a slightly built female could only move an unconscious male on her own by either their shoulders or their feet, and the feet would be the most practical for Vanessa. Although not the best option for young Anthony, I'm afraid.

"It would most definitely result in considerable bumps, bruises, multiple cuts and scratches plus, I fear that he would inevitably experience numerous blows to his head. It would be difficult without proper imaging equipment to know if his unconsciousness was a result of being drugged and/or because of a concussion. And then, as young Vivian pointed out, there is the whole issue of Anthony's exposure to opportunistica bacteria that could have hitched a ride in any open wounds."

"So, Tony needs urgent medical treatment, is what you're saying?" Morrow clarified, staring daggers at Gibbs.

"Most assuredly, Director. And then there is the apparent manifestation of paranoia, which is worrying, although I may know what's going on with that. Excuse me, Gentlemen and Lady."

Ducky pulled out his phone and made a call.

"Ah… Mr. Palmer. That abstract you located this morning. I would be most grateful if you could run it up to the director's office, post haste. Many thanks, dear boy."

Morrow looked across at the two FBI agents. "So, what I don't understand is why you showed up at the ER, Special Agent Fornell?"

Looking uncomfortable, he explained, "Blackadder called her supervisor when she and DiNotzo arrived at the ER."

Viv chimed in, "Barber said she would come down and interview Tony and then Special Agent Fornell turned up instead."

"Why?" Morrow demanded. "What was your interest in the matter?"

"Absolutely nothing, I swear. Blackadder's SSA, Caroline Barber, decided after thinking it through that she didn't want to get involved with the MCRT in any shape or form because of Jethro. She pulled some strings and, because I share a soon to be ex-wife with the Second B for Bastard, TPTB decided to send me to deal with the situation instead. Apparently, no one at the FBI wants to deal with him… and I've been appointed as the Gibbs Whisperer, but I had no prior knowledge that DiNozzo was accusing him or me of a plot to kill him."

Seeing the big shit eating grin that Gibb wore, presumably at the thought that he had the whole of the
FBI browbeaten, Tom snapped at him, "Making the rest of the alphabet agencies refuse to deal with you is nothing to be proud of, Gibbs. In case you've forgotten, you have an injured, vulnerable agent out there in the wind because you didn't do your job."

Ducky was frowning. "You said that he was convinced that Gibbs was trying to kill him, Vivian? Do you know what sparked that delusion?"

"Probably because when they arrived back in the bullpen from the crime scene last night, he," she pointed at her former team leader scornfully, "told some probie called Timmy that he couldn't have Tony's desk because he was still alive."

Ducky and Fornell looked at Gibbs as if he was dog crap stuck on their shoes.

"Oh, Jethro. How could you be so terribly cruel?"

"Low blow, Gibbs. Kicking your man when he's been drugged and injured is yellow."

Morrow looked ready to explode. Taking several deep breaths, he locked eyes on his former MCRT agent, addressing Blackadder. "What, if any, other instances did Agent DiNozzo believe were examples of Gibbs trying to kill him, Special Agent?"

"He mentioned at least two examples, Sir, but he was also very distressed and talking real fast, jumping all over the place. He was talking about letting Christopher Pacci down and messing with his killer and ranting about getting Gibbs shot when the terrorist infiltrated NCIS. But Tony did mention the case where Gibbs dragged him up in a C130 on a night time jumping exercise and he got thrown out of the plane – nearly broke his neck. Said Gibbs had enlisted those Marines to help get rid of him by pushing him out the plane.

"Plus, the other instance he mentioned was the joint case with the FBI on the Marine recruiter sniper murder. He said Gibbs refused to give him backup in the surveillance car while he was watching Gibbs' back. When Abby located the shooter by triangulating the sound of the bullet, Tony took off alone to try to stop the sniper and with no backup, he nearly bought the farm."

There was a knock on the door and Morrow called, "Enter," and a tall thin bespectacled young man came in and handed Ducky a scientific journal article.

Ducky looked at it surprised. "I thought it was just an abstract you'd located, Mr. Palmer."

Palmer nodded enthusiastically. "Yes, it was, but when you called down before I thought that you might need the full article, so I tracked it down and printed it off, Dr. Mallard. I could do a lit search, and track down other articles cited in the article," he offered earnestly.

Ducky patted his arm. "Thank you, James, that's very kind. I'll let you know if I should require it, but this should be quite sufficient for now."

Palmer nodded and headed out of the office as Ducky quickly glanced at the article. Looking up, he explained, "My assistant, Mr. Palmer, brought this to my attention when I arrived first thing this morning. It's a paper describing 44 cases of mental disturbances arising from the abuse of the drug 'BRON'. Which is actually something of a misnomer, it's an over-the-counter (OTC) cough suppressant which contains methylephedrine, codeine, caffeine, and chlorpheniramine and is available in Japan and other South East Asian countries.

"The two major psychiatric symptoms they observed included affective disorders and more pertinently, hallucinatory - paranoid states. This second state is what I believe we're dealing with in Anthony, since he was drugged with this particular drug cocktail yesterday."
Gibbs shook his head in denial. "I'm telling you, Duck, DiNozzo was fine... he was more than fine. He was jumping all over the place like a hyperactive frog in a sock – or an Irish setter pup. He wasn't hallucinating or paranoid... I'd have noticed," he insisted stubbornly.

Ducky stroked his bottom lip as he read the article. "Yes, well, that would probably be the caffeine, perhaps the codeine you're describing that was affecting him. Don't forget that Vanessa drugged Sergeant Atlas with enough BRON to knock out a horse, so we must assume that Anthony also got a similar dose too. Unfortunately, by not ensuring that Anthony received a proper examination, which would have included blood tests, we can only rely on the data we have for the gunny," he concluded, giving Gibbs a stink eye before continuing.

"So, if he received a dangerously high dose of codeine and caffeine, it would have had Anthony practically jumping out of his skin. Plus, the normal adrenaline boost he would have gained from a fight or flight response – when he both had to fight, dragging a semi-conscious man to safety and fleeing from the killer as he did, meant he would have been on a doozy of a chemical high."

He referred to the paper again. "Hmm... well, according to the authors of this article, it's the methylephedrine which is responsible for the paranoia and hallucinations. I'd say that he probably arrived back here, had an adrenal dump (crash) and the methylephidrine was metabolised by the liver, causing the paranoia and delusional thoughts to manifest. The authors also observe that for the affective disorder symptoms, long term abuse was the norm, but for the hallucinatory-paranoid group, it occurred over a short time frame and a low dosage. I'll need to research this in more detail, talk to some experts, but since we're surmising that he received a whopping dose of this BRON, which is in actuality a cocktail of four other drugs, then I think it's safe to assume this is the culprit."

"Is the condition permanent or temporary?" Fornell wanted to know.

"That is part of what I'll need to research, Special Agent Fornell. Then there is the wild card that is Anthony. He has some highly idiosyncratic reactions to different drugs that we're aware of, so it may complicate the situation." He stood up resolutely. "Perhaps I would better serve Anthony by going down to my office and looking for answers about his paranoid hallucinations."

Tom nodded his assent. "Keep me in the loop please, Doctor."

Ducky acknowledged the directorial command. On his way out of Morrow's office, the medical examiner stopped in front of Blackadder. "I'm deeply remorseful over my actions driving Anthony away from me rather than seek my assistance, Vivian. He might be delusional, but that doesn't mean that his feelings aren't valid. I'll try not to let him down again in the future."

Blackadder looked at the medical examiner cynically. "What if this can't be fixed, what if he does something rash, what if he does have a concussion or a serious head injury?"

Ducky bowed his head. "Indeed, my dear. All we can do is try to find him and pray that no harm comes to him."

Fornell snorted and as Ducky departed, Morrow raised an inquiring eyebrow. "What now, Agent Fornell?"

"First thing, we find him and later I will be investigating those claims he made to Blackadder. They are serious and I can't simply brush them off."

Gibbs erupted angrily. "He's hallucinating, Tobias – didn't you get that? No one's trying to kill him."

"Maybe not premeditatedly, but I've got to say that if what he reported about what went on in this
agency is true, then it sounds like procedures and protocols are being ignored," Viv spoke out heatedly. "Why hasn't it been investigated previously?"

"Agreed. If it happens once it might be an accident. More than that, there are either systemic issues that need identifying and addressing or something untoward is going on," Fornell maintained, fatalistically.

The senior supervisory agent of the MCRT became enraged. "I'm not going to have a bunch of dumbass fibbies messing about, sticking their… uh, noses into my business. My team. My rules."

Morrow scowled. "Stand down, Jethro," he ordered angrily before turning to the FBI agents. "Naturally, NCIS will co-operate fully in your search for Special Agent DiNozzo and any subsequent inquiries into his allegations. I'm rather keen to know myself, but I agree with you that they should take a backseat until after we've located him. I'm extremely concerned about his welfare, based on the intel that's been shared this morning. I'll set you up in Conference Room 1 and you can have access to his personnel file and talk to anyone who may be able to shed some light on where he might go. Anything you need, just yell."

"Hang on, Tom. DiNozzo's my agent. I'll be damned if the FBI stumble around trying to find him. I know him best – therefore, I should locate him. Fornell and Blackadder can go- "

"I said shut it, Gibbs," Morrow growled, interrupting what he suspected would be a crude insult. He led the two FBI agents out of the office. "Special Agent Blackadder, if you'd like to head to the conference room downstairs, I'll have DiNozzo's records delivered to you ASAP. Let me know how else I can help."

He stalked back into his office and found Gibbs getting ready to make a break for it. Glaring at his most infuriating agent he pointed to a seat. "Sit down, Agent Gibbs."

Gibbs folded his arms, scowling as he remained on his feet in a confrontational stance.

Morrow went very still. "That wasn't a suggestion, Agent. Don't like it, take a hike. My agency. My rules." He looked at Gibbs who looked shocked, but sat, reluctantly. "Right, let's talk about sending DiNozzo off to follow a suspected serial killer without backup. After all, it's only one week since we all learnt the hard way that even the most experienced agent working without someone watching their back can be deadly. Chris didn't know he was following a killer, but Tony was following Sacco who was suspected of murder. Why would you send Tony out alone after what happened to Pacci? C'mon Gibbs, the real reason?"

"He was pissing me off with his constant yabba yabba. Besides, he works best without a net or an audience – he's an undercover specialist."

"Gibbs, every fucking one pisses you off… especially since the siege. You have the tolerance level of a spoilt self-absorbed teenage princess. Me… me… me. My team, my rules… blah, blah, blah. As to working best unsupervised, that's quite possibly because you and your probie are difficult to work for and with. You have anger issues, you're rude, you're disrespectful, and you treat DiNozzo like shit. You let your probie act like she's in charge, you ignore all her flaws and mistakes, and yet you criticise Tony for the slightest infraction. I'd prefer to work on my own too if I was in his shoes."

He ignored the flush of anger, the faring nostrils and pupil dilation; all indications that a Gibbs was very pissed off with the dressing down.

"And as to the pathetic excuse of him being an undercover expert – he couldn't be undercover in this situation, because Major Sacco, who was your person of interest and Vanessa the bar maid, who
turned out to be your serial killer, had both met him before. They KNEW he was an NCIS special
agent, so how the hell was he supposed to be undercover?” he yelled in frustration at how incredibly
stupid his senior supervisory agent was being.

He decided to be brutally honest, maybe Jethro would extract his damned head from his butt.

"The truth is that if you'd assigned a second agent to watch his back, he never would have been
taken. Now we have a missing agent who was drugged and hallucinating, who may also have a
serious brain injury, all because you failed to follow procedure and then didn't bother to have him
properly evaluated."

"I don't have time for this, Tom. I have to find DiNozzo."

"Oh, so now you're concerned about him. I don't think so. You're the one he's running away from…
because he thinks you're trying to kill him," He raised his voice to accentuate the point.

"And by the way, how stupid are you to tell a probie he couldn't have DiNozzo's desk because Tony
wasn't dead? How would you feel if I did that to you?" Morrow demanded furiously before shaking
his head in disgust.

"You know, on second thought, maybe I should offer McGee your desk – even a green as grass
probie couldn't fuck up any worse than you have."

At that insult the former Marine uttered a curse under his breath and started to rise out of the chair.
Morrow’s glare suggested that was not a wise choice and for once Gibbs obeyed the unspoken
command to stay where he was.

"This is my fault; I should have put my foot down way before this… with you and SecNav. You'd
better hope the FBI can find DiNozzo and he's okay because IA will be interested in reviewing your
actions, Gibbs, as well as the FBI, I suspect."

~o0o~

Tony had donned a ball cap and sunglasses to help disguise his appearance and was dressed casually
in jeans and a t-shirt. The train was pulling in to Penn St. Station in New York City. He'd decided to
catch the train up from DC rather than rent a car or take the bus, desperate to stay under the radar and
opt for making himself as anonymous as possible.

As someone who was adept at undercover work, he was uniquely equipped to disappear, which was
certainly an advantage when the bad guys wanted you dead. Although he never thought it would be
his partner who wanted to kill him… well, not his current partner anyway. While at some point,
Tony knew he'd need some wheels, it was too easily traced while he was in DC, unless he pinched
one, and he wasn't prepared to do that. Similarly, he wasn't keen to get on a bus because once on he
got on it, it was too easy for his enemies to trap him.

He was still shaken that Vivian had betrayed him. He'd told her that Fornell had probably been in on
the plot to kill him – after all, the veteran federal agent had thrown him out on the Beltway inside a
body bag, and Tony could hear traffic whizzing past him as he tried to free himself, not knowing if
or when he might be struck by a vehicle. He never used to be claustrophobic but now, he couldn't
even cope with having his blankets tucked too tight around him anymore. He often woke up in the
middle of the night in the dark, his blanket having become wrapped around him and experiencing a
panic attack as he tried to escape.

After fleeing the hospital, he'd headed for a movie theatre to try to get some breathing space and
figure out where to go from here. He knew that there were probably people at NCIS who would have his back if he reached out to them. But it would be a crap shoot as to whether they believed him or turned him over to Gibbs, and he couldn't take the chance. Maybe Viv didn't mean to betray him, but when Fornell, who was Gibbs' frenemy, turned up at the ER, it made him realise just how vulnerable he was in reaching out for help.

By now Fornell would have informed Gibbs that he'd fled from the ER and they would be looking for him in all the obvious places, so he needed to think outside the box and he quickly discounted anyone at NCIS or the FBI. Metro PD was out too – they'd be expecting him to reach out there to people he'd worked with on cases and become pals with, such as Detective Andy Kochifis. Now that Gibbs knew that he had put together the various attempts to kill him, he'd be wanting to make damned sure that he couldn't testify against him. And one thing he knew about Gibbs, once he was focused on something, he became as dangerous as nitroglycerine.

He could reach out to Danny Price – his corrupt former homicide partner, or Wendy Miller – his former fiancée who called off their wedding the night before. He very much doubted Gibbs would expect him to go to either of them, so that would most definitely be thinking outside the box, but Tony didn't think he could bring himself to approach either one of them. They'd both been the cause of so much pain; even thinking about them made him want to throw up.

Fighting down the nausea, he decided that they weren't an option he could stomach just before realising he was going to lose his stomach contents, not that there was a lot in there. Viv had pressed a granola bar on him some hours ago and a glass of orange juice, knowing he was prone to low blood sugar.

Jumping up from his seat, he raced out of the thinly populated theatre, barely making it to the toilet in time before puking his guts up. He was feeling incredibly weary, bone tired, his limbs felt heavy and his head ached, but he couldn't rest, not here. He needed to be someplace safe, somewhere he could trust someone to watch his back or else find someplace completely secluded when he could relax his guard.

Heading back into the movie theatre, which was just a temporary stop gap, but still an excellent place to hide, he tried to figure out his next move. It was dark and quiet so it was a first-rate spot for him to think about his options, and it was easy to remain anonymous since people were watching the movie, not checking out the audience. But he couldn't stay here indefinitely.

Tony generated half a dozen possibilities before discounting them all because of a variety of reasons, before finally hitting on what was probably the perfect person to help him.

Waiting until the movie finished so as not to draw any further attention to himself after the puking incident and his hurried exit, he sauntered out casually, trying to stay under the radar. It was possibly that Fornell and Gibbs had put out BOLOs on him already, but he hoped he still had some time left to manoeuvre.

Heading out to the movie foyer, he sunk into one of the sofas. He pulled one of his burner phones out of his backpack and called the Homicide Division at Baltimore PD from memory. Asking to speak to Detective Meldrick Lewis, hoping to catch him at his desk. Tony's luck was in, Lewis tying up a case and was happy to supply the info Tony needed. Meldrick's old partner had left Baltimore Homicide and was now working for the NYPD, specifically the 16th Precinct in Manhattan.

Which was why Tony headed up to New York City, in search of his former Homicide colleague – not that he'd had much to do with him, he was a young gun and John was already a veteran. Nevertheless, he was pretty sure that John would believe him because although he didn't know the senior detective all that well, in the squad room it was well known that he was cynical to the point of
being what was commonly known as a conspiracy theorist (nut). He chuckled, remembering some of the other Dees joking that John could smell a conspiracy at a five-year old's lemonade stand. He was also a serial husband and divorcee – like his dad and Gibbs.

So, if Tony approached him for help and told him that feds from NCIS and FBI were trying to kill him, unlike Viv, who obviously didn't believe him, he hoped that John would be prepared to listen to his story, no matter how outlandish the scenario seemed.

Feeling increasingly crappy, he decided to take a cab straight to the 16th Precinct, hoping like hell that his wildcard detective was working today because he had no idea where John lived in NY. He could probably find out with a bit of effort, but it would be much easier all around if he was at the precinct.

Alighting from the cab, he entered the building looking for the Special Victims Unit, and ran straight into the guy he was looking for, Detective 1st Grade John Munch, wisecracking cynic with a squishy heart when it came victims. The cop he was with, no doubt his partner, grabbed him and helped him to a bench as he staggered almost collapsing, feeling dizzy.

"Detective DiNozzo… oops, my bad, you're a G-Man now. Agent DiNozzo, are you okay? Meet my partner, Detective Odafin Tutuola. Fin, this is Agent Anthony DiNozzo, formerly of Baltimore PD, Homicide Division. What are you doing in New York?

"Looking for you, I need your help." He stared pointedly at Munch's partner, who took the hint.

"Why don't I scrounge us up a cup of coffee? How do you take it?" he asked Tony.

"Thanks… Fin. White and one." Fin nodded and tactfully disappeared.

"Okay, DiNozzo. What's up?

"People are trying to kill me, but no one will believe me," he said.

"Why won't anyone believe you?" John demanded, smelling a conspiracy a mile away.

"Because my boss at NCIS and his buddy at the FBI want to get rid of me. No one can know that I've talked to you," he warned before promptly fainting and falling rather dramatically against the SVU detective.

Munch looked at the young former detective turned federal agent who'd impressed the other detectives in Baltimore with his flair and creativity and shook his head sadly. "Perhaps it's time you come back to the light side, DiNozzo.

~o0o~

Fornell had read through the reports from Gibbs, Todd, and McGee, plus the scientific reports from Sciuto and the ME. He'd also talked to a few of the other agents who had their work stations adjacent to the MCRT bullpen. Frankly, he couldn't understand why Gibbs wanted more on Sacco before he would bring him in for questioning. The guy was associated with three other missing Marines, presumed dead by that point in the investigation. Tobias felt that was ample reason to bring him in for questioning.

According to SSA Balboa, when Tony was tailing Sacco, Gibbs found out and then notified Tony that one of the missing Marines associated with Major Sacco had been found dead. Tony asked if he could pick him up and bring him in for questioning and Gibbs had told him no, to keep him under surveillance.
What a complete balls-up, or in Jethro's parlance – what a FUBAR! Apart from the fact that DiNotzo shouldn't have been tailing a suspected serial killer without any backup, if Gibbs had just let Tony pick him up and bring him in for questioning, Tony wouldn't have been drugged, kidnapped, and incarcerated in the sewer.

Tobias wasn't a hundred percent certain, but he was pretty sure that NCIS was able to bring in any Marine and Navy personnel for questioning without a reason. Investigating military cases wasn't like investigating civilians where you have to have means, motive, and opportunity before bringing in a suspect to question them, or having at least two out of those three. And even if he was incorrect, as the former CO of all the missing men, the major could have been re-interviewed as someone who was helping with their inquiries rather than as a suspect.

When all was said and done, Sacco may have not been the killer, but he was platoon commander to all the missing/dead Marines, and he'd known who the killer was. If Gibbs had let Tony pick him up, Sacco wouldn't have been murdered by Vanessa. Yet another death to lay at Gibbs' feet because of his poor judgement. From the scuttlebutt doing the rounds of the alphabets, this wasn't the only case where his decision making was off, either. It seemed that since the terrorist who infiltrated the agency and escaped, wounding Gibbs – a highly trained Marine sniper in the process, he had been obsessing over the one that got away instead of focusing on the cases at hand.

Fornell guessed in light of DiNotzo being drugged by the killer and his subsequent disappearance in a paranoid state, that Internal Affairs was going to be all over this, like fleas on a mangy dog. He recalled what Balboa had told him and Gibbs was going to be in deep shit; that was before any of the other allegations that DiNotzo had made about his team trying to kill him were investigated.

One extremely damning point that the veteran NCIS agent had revealed to the FBI agent was that during the investigation, Cate had mentioned that if Sacco wasn't the killer then he could be the next victim. As Balboa had observed grimly, that would have been a perfectly legitimate reason to bring him in too, i.e., to protect him.

As he closed the case file that was still sans the SFA's final report and therefore not complete, he thought about Agent Balboa's final remarks. "At any rate, I think Cate, Tony, and/or both asked Gibbs at least three times prior to Tony's abduction if they could go pick up Sacco and bring him in and Gibbs refused every time, saying stuff like 'Give me something to nail him with and I will.' They didn't need anything to 'nail him with' in order to question him or to put him in protective custody."

*Oh yeah, Gibbs was in a lot of trouble and if DiNotzo didn't make it, it could be Gibbs' last case!*

~o0o~

John Munch regarded the still unconscious federal agent gravely. He was exhausted, clearly had been running on empty and the doctor who'd attended him had clucked disapprovingly as he treated his myriad injuries. Even though John hadn't had all that much to do with the baby detective back in Baltimore Homicide, he did recall that he'd had a strong aversion to doctors and hospitals when he was hurt on the job, which had been far too frequently, in his humble opinion. Still, his physical collapse had made treating him mandatory, not to mention far less problematic than if he'd been conscious.

*You see, I'm not always a glass half empty kinda guy,' he mentally chided his partner. 'I can see the positive side of life on occasion.'*

Fin had wanted to call a bus when Tony had passed out at the precinct, especially after they'd discovered several lumps and lacerations to the back of the federal agent's skull. John was much less keen on the idea of taking him to hospital. If his CO and someone at the FBI were trying to kill him,
then the last thing Munch wanted was to make DiNozzo an easy target for them. Staring at the physically exhausted young agent, he knew he would have been incredibly vulnerable in a hospital bed if there was a government conspiracy to kill him. Until he had more information to go on, he’d felt it was prudent to proceed with extreme caution.

So, John had called on one of his sundry contacts who owed his a favour or two and went by a number of names but his real one was Theodore Winters, aka Mozzie. Munch conceded that he was a strange little man, but more importantly in this situation, he was probably even more paranoid than Munch. So, he trusted him to help keep DiNozzo safe.

Mozzie was also a conman par excellence but that was a moot point. What was much more relevant was that the paranoiac had safe houses set up all around New York and they were not some flea-invested cesspits which John wouldn't leave a dog in. No, as an unabashed sybarite, Mozzie liked to live the good life, so this bolt hole of his was more than comfortable – it even had a Japanese garden. Perhaps more importantly, it had stupendously comfortable beds and it was highly unlikely that anyone would ever connect Mozzie to Special Agent Anthony DiNozzo.

Importantly, as a white-collar conman, he also had scores of contacts that couldn't be matched, including the ER doctor who was one of his conspiracist cronies. They said that politics (or in this case conspiracy theory) made for strange bed-fellows and the two men sitting vigil over an unconscious federal agent was more than a little peculiar. Still, as Munch sipped on the exquisite cognac, courtesy of Mozzie listening to the pair postulating on increasingly bizarre explanations as to why Special Agent Anthony DiNozzo might be the subject of a contract on his life, courtesy of his immediate superior, he was nonetheless reassured to have the doc there. He wasn't an expert in head injuries, but he'd seen enough in his years on the job to know that they had to monitor him closely. Tony could easily have acquired a closed head injury that could cause him slip into a coma and never wake up.

As much as Munch wanted to keep him out of hospital, he also didn't want the young federal agent to die, obviously. Luckily, with the number of fake IDs that they'd discovered in DiNozzo's duffle bag, along with a large amount of cash, several knives and guns (with proper gun permits in his alias' names) which had earned even Mozzie's approval, it shouldn't be too much of a problem.

If push came to shove, and with a friendly medico to facilitate the admission, they would take the risk if they had to. The staff would be told that he was a witness in protective custody who was testifying against an organized crime syndicate and there was a hit out on him, if it became necessary to hospitalize him.

While John was a pragmatic kind of guy, lies didn't usually sit right with him, but it wasn't exactly a lie. As far as he and his fellow conspiracists were concerned, the Alphabet Federal Agencies were akin to an organized crime syndicate with their lies and casual disregard for the rights of the individual. Besides, he knew Tony, not well, but well enough to know he was on the side of the angels despite the brash persona he'd worn around his fellow cops. But to the world weary veteran cop, DiNozzo's innate goodness and concern for others had shone through – even more so than his brilliance as a detective. As much as the world needed good investigators, they needed good people more.

Which is why John was prepared to lie if he had to in order to protect the G-Man. *Who would have thunk it?*

Meanwhile, according to Fin, the FBI and NCIS had already issued BOLOs for Special Agent Anthony DiNozzo. The little that his partner could glean without stirring up the wrong sort of attention, DiNozzo had been tailing a suspected serial killer, or someone who knew the killer, when
he'd been drugged, abducted, and imprisoned in sewer tunnels under DC with a barely alive victim (a Marine) and a rotting corpse (another Marine). The story was that he'd managed to escape al a Harry Houdini with nothing more than a concealed knife, taking along with him the barely alive victim who'd been kept without food and water for an extended period of time, thereby saving the Marine's life. The young agent had also managed, despite being drugged, to disarm the killer after she shot another Marine dead.

Although implausible, knowing DiNozzo, John thought it was probably fairly accurate. No - it was the rest of the story he had trouble believing, namely that Tony had been tailing a suspect solo. That was absolutely ludicrous – procedure was absolutely clear - when dealing with anyone suspected of being a serial killer, no one in their right mind would send a cop or agent out to tail a suspected killer with no one to watch their back.

The second thing that made Munch certain that the account doing the round was a cock and bull story to fool the sheeple was that according to rumours, DiNozzo was permitted to return to headquarters without a medical clearance despite having lost consciousness for an extended period of time AND being drugged. Now NCIS were 'supposedly' concerned that the drugs may have caused him to have a psychotic break and were anxious about his whereabouts.

Munch had snorted in derision when he heard that preposterous claim. Really, did they honestly expect LEOs to swallow such utter balderdash? No one was that stupid! It was SOP that any loss of consciousness AND/OR drugging of a cop or federal agent would require mandatory attendance at an ER for a full medical assessment. Especially when the killer was alive and would be charged with a raft of serious federal charges for assault and abduction of a federal agent.

Seriously, whoever the feds had employed to come up with this cock and bull story needed to be fired immediately and get someone in with a bit of sense who could come up with something halfway credible. Especially if they had any hope of getting the cooperation of LEOs, who didn't appreciate being taken for fools just because they were cops instead of Feds.

When he'd mentioned his disbelief to Fin, he'd smirked and said that some of the NYPD cops had already called out the NCIS agent issuing the BOLO – a female agent who had been plenty snarky. She'd declared that her boss followed his own rules and said that their Medical Examiner was going to examine DiNozzo, except he'd disappeared before that could happen.

Yeah right, that was real believable. Munch shuddered as if someone had walked over his grave. The idea of him going to Melinda Warner or one of the other MEs after he'd been drugged and unconscious was too creepy to contemplate. Not to mention that a pathologist would be laughed out of court for examining a live patient, instead of the victim presenting at an ER.

John looked over at the unconscious former cop. Tutuola had also reported that NCIS had started leaking like a sieve. One of his old contacts in Narcotics was the brother-in-law of an NCIS agent. He'd mentioned that in the last year, DiNozzo had been pushed out of a military plane at night with no jump training, left without backup more than once, and been a victim of two explosions, in part due to a rookie ex-Secret Service agent, inexplicably to work on the MCRT. Finally, there'd been the incident where DiNozzo had been thrown out of an ME's van, inside a body bag, at night, while it was still moving on the Beltway, by the FBI. Incredibly, he'd managed to survive every time.

As farfetched as that all sounded, if Fin's contact could be believed, it seemed that Tony's assertion that his boss (or perhaps his whole damned agency) was indeed trying to get rid of him, albeit in a way that would appear to be a tragic result of collateral damage. It made him even more determined to protect the kid from the G-men and he smiled as Mozzie fussed over the kid.

One thing he'd noticed about the baby detective, as brash and cocky as he might appear, anyone with
an iota of empathy saw straight through his masks to his vulnerability and they all tried to mother-hen him – especially when he was sick or hurt. Much to his mortification and protestations of being fine. The veteran detective had gotten the distinct impression that the kid was used to taking care of himself, despite supposedly coming from money.

Although, since moving to NYC, John had learnt that Anthony DiNozzo Senior was nothing more than an oily, unscrupulous conman, ripping off rich folk and struggling workers alike without a modicum of compunction. Mozzie was scathing about the guy! So, perhaps he wasn't raised in the lap of luxury.

In fact, Mozzie had used his network of contacts to start a rumour which made its way to the FBI office in NYC that Anthony DiNozzo Senior had spirited his son away to the Seychelles because he wanted him to enter the family business. It was partly payback because Mozzie abhorred the man, but also was precautionary in case Tony had been spotted in NY on his way to SVU.

~o0o~

Tom Morrow sighed as he read the interim recommendations from Internal Affairs. They were demanding that Gibbs be placed on immediate administrative leave while they investigated the allegations raised by FBI Special Agent Blackadder. These included the numerous life-threatening situations that occurred when Special Agent Anthony DiNozzo was carrying out his duties as senior field agent of the MCRT, as well as the fact that Gibbs failed to ensure his agent received appropriate medical attention following his assault and abduction.

As he instructed his personal assistant to inform SSA Gibbs his presence was required ASAP, the director sighed. It was now going on 72 hours and they still had no clue what had happened to DiNozzo. The FBI had gone off chasing Tony's father, based on an anonymous tip off, corroborated by several witnesses claiming to see the federal agent in NYC the morning after he disappeared, but there had been nothing since then.

Gibbs had wanted to follow up with his old homicide partner and ex-fiancée in Baltimore, but had been ordered to butt out of the investigation and let the FBI handle it. Now that he was going to be placed on administrative leave, Tom wouldn't be able to keep him from running around acting like a loose cannon, which was why he'd considered the administrative leave option initially, but decided it was better to keep him where he could control him. Well, as much as anyone could control Jethro… the man honestly believed he was a law unto himself.

Still, if Gibbs was charged with impeding an FBI investigation, that was his own lookout. He was big enough and ugly enough to look out for himself as far as Morrow was concerned. It was DiNozzo that they had to focus on. Tom didn't know if he was even still alive, although he hoped that the famed DiNozzo cat-like resilience would prevail despite this last cockup.

Chapter End Notes

End Notes:

Chapter Summary

Gibbs and DiNozzo go undercover to track down the murderer of a Marine Master Sergeant and discover who is illegally selling Marine weapons on the black market.

Chapter Notes

A/N: It’s been a long time between tags which is partially due to real life – the usual dramas that get thrown our way – a wedding, a death, another family member ill, and other minor distractions. But it has also been because this tag fought with me the entire time I’ve worked on it. What I’m posting in the end is a short version of the entire story I wrote, focusing on some gaping technical flaws in the investigation. In the end I produced about 42,000 words on this episode but there were so many issues that I felt needed addressing that it ended up clunky and unwieldy and no matter how I redrafted it, I couldn’t make it work. So, I decided that I would strip this tag right back to the bare bones.

Fear not, I will post the rest of the story in the near future as two or possibly three separate stories, following up on the additional issues that were raised during this episode. Again, my apologies for making everyone wait so long. I hope you enjoy this one and rest assured you will get to see what happens with the team, further down the track.

My thanks go to RCEpups for invaluable advice and assistance with this tag. Without her help I would still be struggling to wrangle this tag into a fit state to be read.

Series: There’s Always Tom Morrow
Episode: Split Decision
Title: Pyrrhic Victory
Characters: Catlin Todd, Leroy Jethro Gibbs, Tony DiNozzo, Tom Morrow

See the end of the chapter for more notes.
which everyone avoided talking about in his vicinity, he wasn't the only one in a bad temper. The probationary agent Caitlin Todd had flounced in, muttering under her breath about idiot judges. Tony stalked in, looking at his two teammates with disgust.

Since it was rare for DiNozzo to display anger, this immediately started tongues a-wagging and imaginations ran riot about possible reasons for what had caused it. Todd was always outraged about something or other, miffed at supposed sexual slurs (when she was guilty of it herself) and irked at DiNozzo for well... daring to consume oxygen in her presence. So, the other agents tended to discount both Gibbs and Cate's tantrum-like attitudes...except when Tony was too angry to hide own his anger. That caused them to sit up and take notice alright.

Plus, everyone knew to avoid the whole team because whatever it was, it must be serious.

As a tense silence settled over the entire floor, a shrill ringing of the landline on Gibbs' desk cut through the strained atmosphere like a knife. Picking it up, he grunted, "What?"

As he listened to whoever it was on the other end of the phone his gaze wandered around the room scowling at anyone who was unfortunate enough to make eye contact with him. Apart from a grunt or two he was silent before ending the call with a curt, "Fine."

Standing up swiftly, Gibbs shot a glance at each of his agents and ordered, "With me."

The two younger agents falling in behind him, he led them up the stairs and along the mezzanine to the director's office, causing the rumour mill to surge into overdrive. What did beloved leader want with the MCRT?

When they reached the director's outer office, Cynthia informed them that Morrow was waiting for them. He was sitting at his conference table, several files stacked in front of him, reading the topmost one, his expression bleak. Without looking up, he ordered the team, "Take a seat, Agents."

Gibbs looked at the coffee pot on the credenza longingly, but wisely decided not to help himself uninvited. And Morrow didn't offer. It was clear to the most oblivious person that Morrow was fit to be tied and so they remained quiet, waiting.

Finally, he looked up and barked at his senior supervisory agent, "Sitrep. Now."
Gibbs grunted acknowledgement. "Damned judge threw out Master Sergeant Rafael's confession on a technicality and then because of lack of evidence he dismissed the charges. The bastard walked, Director."

"And?" Morrow asked through gritted teeth.

Jethro stared right back at him, stony faced – giving nothing away.

"Why did it take so long for you to return to the office? The hearing adjourned more than three hours ago."

Grimacing in disgust, Jethro metaphorically rolled his eyes. "The Judge Advocate General decided to tear strips off us."

Staring straight at Gibbs, Tom responded. "For screwing the pooch, no doubt. Just so we are all on the same page, Agents, this was a complete and utter disaster. You are supposed to be the elite MCRT. And this isn't the first time your team has screwed up lately. It isn't acceptable and there will be consequences."

Gibbs seemed all set to reply to that opening salvo which was intentionally inflammatory, but Morrow was on a roll and beat him to it.

"Save it, Gibbs," he warned, before directing his attention to Cate. "Agent Todd, you will be sent back to FLETC to complete the investigatory courses you should have done before NCIS hired you. And if you weren't already a probationary agent I'd be demoting you back to probationary status, but as you are already a probie I have decided to extend your probationary status for at least a further twelve months. Should you..."

The probationary agent in question interrupted Tom, blurtling out angrily, "You can't do that. I was the lead agent of the top protection team in the Secret Service guarding the POTUS. I am not a probationary agent, I should never have been ranked under a cop in the first place – it is humiliating," she raged, flicking a disparaging glance towards DiNozzo before continuing. "Sending me to FLETC is highly disrespectful for an agent with my years of experience and professional reputation."

*Professional reputation – you are kidding, right?* Tom had trouble keeping a straight face. *You were sleeping with the football carrier and apart from disobeying the fraternization regs, a journalist you helped vet in your capacity as a psychological profiler damn near managed to assassinate the*
POTUS. You're a laughing stock and your reputation couldn't get much lower. Hell, I'm copping a shitload of flak from other directors for hiring her.

Knowing he couldn’t give voice to his private thoughts, instead he chose to give her the silent treatment, watching as she became increasingly discomforted. Cate knew damned well that she couldn't speak to the NCIS director like that, although no doubt she stood by what she said, just not how she said it.

Finally, he responded almost mildly. "Well if you feel that strongly about being sent back to learn the things you desperately need to know but clearly don't to do the job you were hired for (the one you're getting paid for if you'd forgotten) then you're most welcome to resign. Otherwise, it's non-negotiable.

"Similarly, if you are not prepared to accept the disciplinary measure of an extension to your probationary status, perhaps you should return to the Secret Service. At least there you can resume your previous rank on protective service, since clearly you aren't happy here," he observed rather hopefully.

Quite frankly, Tom would be ecstatic if Todd decided to resign. She was definitely wanting in terms of being a fully functional investigative agent and, yes, he was always prepared to train people if they showed aptitude and were keen to learn. In her case, Todd didn't seem to accept the fact that she was woefully ignorant about how crime investigations were conducted. Being unwilling to accept that she knew didley squat and learn from those who did...like an ex-cop whose investigative abilities were beyond dispute, was one reason why she would never rise to anything beyond mediocrity as a NCIS agent. But she wasn't even close at this stage to achieving even a basic level of competence.

Tom questioned it though – this degree of stupidity was hard to believe. After all, Todd had studied law – at least for a year at college but that should have been enough for her to know that individuals had the right to not incriminate themselves. After all, even an average Jo or Jane, reared on a diet of police procedural TV shows knew about Miranda rights so why didn't Todd?

Unless... her latest fuckup hadn't occurred due to her woeful ignorance of law enforcement procedure and the rule of law. Frowning harshly, he stabbed her with his own version of the director's glare - being a combination of his wife's 'you-kids-are-in-deep-shit' look and a drill sergeants' scowl as he continued. "Unless you did know that it was illegal to question the suspect, Master Staff Sergeant Rafael without first reading him his Article 31 Rights and you did it anyway, Probationary Agent." He said ominously. "And if that was the case, I'll have to refer the matter to IA for further investigation."

Cate paled at the threat and started to stammer something before he interrupted. "Step out and wait in the outer office for me. We will be discussing your options later, plus several other issues that have
come to my attention. You can use that time to think about your choices and we'll sort out what is going to happen in the future."

The former Secret Service agent swallowed several times before finally managing to respond with an uncharacteristically meek, "Yes Sir." She stood up from the table and quickly made her way out of Tom's inner sanctum before it could get any worse.

~o0o~

Leaving the director's office, Cate glared at his executive assistant who looked up when she entered the outer office. Stalking over to sit down and wait as per Morrows orders, she knew she was being a bitch, but she was so pissed off. Gibbs broke the damned rules all the time but because his gonads were on the outside, he got away with it every darned time. It was so unfair.

And the stupid chauvinist pig of a director, how dare he order her go to FLETC. Bet he wouldn't make DiNozzo go.

The trouble was that Morrow knew damned well he had her backed into a corner – he'd gleefully dared her to resign if she didn't like it and return to the Secret Service. That smug smile – the patriarchal bastard knew as well as she did that she had burnt that bridge. She was never going to get hired there again and if she did, after the stuff-up with the POTUS and her affair with Major Kerry, if she did luck out, she'd be given a posting protecting some consulate in some hellhole.

That's if she was lucky. And Cate knew she wasn't a lucky person – crap always seemed to happen to her.

Morrow knew all that, and he taunted her, knowing that she had no choice but to debase herself and lick his expensive directorial boots. Effectively she'd have to humiliate herself, forced to take FLETC classes with a bunch of wet behind the ears college kids. She hated Director Morrow for making her the scapegoat in this situation – all because she was the lowest person on the totem pole. Oh yes AND because she was female.

After being Top Dog at the Secret Service and protecting the POTUS, Cate hated being low man on the totem pole...especially when someone like DiNozzo had seniority over her by virtue of her stupid probationary status.

Why didn't Morrow blame DiNozzo? HE was the ex-cop. Why hadn't he ever explained Article 31 Rights to her, so she understood that timing was everything?
Because he's nothing but a big dumb jock, quoting movies all day and what brain he has is centred firmly between his legs. Everyone can see he's threatened by you. You're smarter than he is, Cate, you're a profiler, you care about the people and are a better investigator.

Cate had watched her own mother hide her intelligence after she'd married Cate's dad, letting him make all the decisions. She'd played the dutiful little-woman role to perfection. Weak and needed to be protected, bearing her husband five children and being the main care-giver, rearing them, being a stay-at-home mother. Even now that she and her siblings were all adults and independent, her mother chose to follow her husband around in 'their' retirement to a plethora of vacuous vacation destinations and engaging in a heap of superficial activities like golf or aqua aerobics.

She'd laughed and tried hard not to act patronising when Cate had suggested that she should use this section of her life for doing something useful and fulfilling – perhaps pursue a career in local politics or go back to school and finish her degree. Did she not get that she wasn't in a position to be patronising – all she'd achieved in her life had been an obedient little housewife. Letting a man rule the roost and make all the important decisions in her life was nothing to write home about.

Which brought her abruptly back to the fact that at this point of time, she too was in the infuriating position of having a male make every single important decision about her life and career. Cate could really only see two options. Option one was, stick to her principles and resign. That would mean that she would have to look for a new career since she knew she wouldn't get another job in law enforcement. The second option was to submit to the humiliating prospect of 'taking newbie investigative courses' at the Federal Law Enforcement Training College with a bunch of gung-ho green as grass rookies.

Honestly, neither option held much appeal. She had been on the fast-track to becoming the first director of the Secret Service a couple of years ago and now because of a bunch of misogynists, she was between a rock and a hard place. Damn Major Timothy Kerry and his lusty libido – the sex had been great but the price she'd paid for it had been way too high.

Cate briefly considered ringing Rachel and getting some sympathy from her big sister but just as quickly discounted it. Oh, her big sister would be concerned and helpful, but she wasn't sure that she could really understand what she was going through. The truth was that everything seemed to come easily to Rachel – a meaningful and happy marriage plus kids and a fulfilling and successful career.

Rachel may not realise it, but Cate was more than a little jealous of her older sister's achievements, which left her feeling inadequate. Honestly, that was not an emotion that Cate liked experiencing and her envy of her sister had fuelled her desire to succeed beyond anyone's wildest expectations in law enforcement, but it also prompted her to take up psychological profiling. She wasn't conscious of her motivation to outperform her sister but essentially, she was saying – hey you might be a mother and a
psychologist but I'm better at psychology than you.

Meanwhile, Cate tried not to think about Tom Morrow's threat to refer her to IA for her failure to read Master Sergeant Rafael his Article 31 Rights before she started questioning him back at NCIS and gained his confession. Surely, he was bluffing.

Still, it was an effective bluff – Internal Affairs had a fearsome and well-earned reputation of destroying lives and careers once they got their teeth into you. While it was true that yes, she'd threatened Rafael by pretending to leave the interview room, bluffing that she would be back to read him his rights and the charges he would face, it worked!

He'd spilled his guts and they'd managed to find out about Corporal McClain and set her up and impounded the weapons. That wouldn't have happened if she hadn't tricked him into confessing, and they had caught McClain dead to rights with the stolen weapons, no confession needed to charge her. So, what was the big deal over Rafael, anyway? Gibbs bent the rules like she had done all the freakin time.

What mattered was the results. They caught a dirty ATF agent and managed to account for all those stolen weapons that would have caused untold damage if criminals or militias had gotten their hands on them. So, it was a win, surely!

Gibbs understood that the end justified the means. No one ever tried to send him to FLETC or threatened to refer him to Internal Affairs. Such darned hypocrites!

What it was, was a blatant case of gender discrimination, making her carry the can because she was a woman. Unfortunately, at this point, Cate knew that Director Morrow was holding all the cards and clearly the man was an out and out misogynist. He was probably terrified of her because she was a strong, intelligent woman who was better at firing a weapon than he was and had protected the President of the United States. What had he ever done which was remarkable?

Still, even if he was a useless old fart, he had the power to fire her. If she wanted to continue working in law enforcement then he held all the cards – and really, where else could she use her profiling abilities? If she left NCIS with multiple black marks on her personnel file it was doubtful that any of the other alphabets would hire her, regrettably. So that meant that she had to play by his rules...for now.

She was still young, and Morrow would surely retire sooner or later. She could bide her time.
As she sat there plotting her revenge which she'd inflict on Director Morrow, she noted that Tony was exiting Morrows office and she scowled at him when he glanced in her direction. Daring him to make one of his flippant remarks or some inane movie quote, she wondered if she could endure his stupid drivel for the year or two she would need to serve out her probation. After that, she'd be able to apply for a SFA position on another team.

After all, with her supervisory experience at the Secret Service, not to mention her intelligence and being highly skilled with weapons, she was much better suited to be a senior field agent. And Gibbs clearly agreed with her assessment since he'd told her she didn't have to do what DiNozzo said, only him. Likely when she'd served out the ridiculous extra probationary time that Morrow was insisting upon, Gibbs would find a way to cut the skirt chasing idiot frat boy loose from the team and give the job to Cate.

She'd heard the gossip around the watercooler; DiNozzo was a poor little rich kid, raised in the lap of luxury and ended up with a sense of entitlement. Thought the world owed him a living. No wonder he expected to get by on his contacts (undoubtedly friends of his well-to-do family, or people wanting to get in his family's good books) plus he traded on his good looks with dumb as a rock, barbie doll females. But it was clear to her that Gibbs, who came from blue collar working class stock with a strong work ethic was regretting promoting him to SFA since he spent most of his time disparaging Tony.

After all, what the hell did a stoic and highly decorated Marine have in common with a rich dumb jock with a Phys Ed degree? A tiny voice inside Cate's head reminded her that many of the theoretical subjects in physical education were identical to pre-med, but she pushed it aside fervidly. Tony was a buffoon – he would have been partying, drinking, and watching trashy movies in college.

Probably hired someone else to do his assignments and sit his exams – or his father donated a library or something, Cate reasoned cynically and with more than a dash of envy thrown in since she had to work for her degree. He was barely capable of putting a report together according to Gibbs, while hers were accepted without major edits.

Grinning as she remembered the peeved look on Tony's face when Gibbs had told her how many times he send back his report the first time he wrote one for the team leader, Cate was startled when two NCIS security guards strode past her and into Director Morrow's Office. She was even more surprised when they exited again soon after and Gibbs was with them. What the heck was happening

Wondering if there had been some sort of emergency, she called out to him, "Gibbs, what going on?"

"Glaring at her and Cynthia Somers, who had a knowing expression on her face he ignored her. At
the last moment he seemed to relent and flung back over his shoulder the blunt piece of advice, "Stand down, Cate."

She wondered if he'd taken a swing at the director – Gibbs had a really short fuse, especially after that terrorist infiltrated Autopsy. Infiltrated and exfiltrated successfully, she amended, mentally although no one was stupid enough to say that out loud in his presence. Not if they valued their lives.

Given the stress he was under, she wouldn't put it past Gibbs to lose his temper and haul off and hit Morrow. Heck she'd felt like giving him a jab or two herself earlier, one to the jaw and another to the solar plexus, but she didn't. Then again, she did have much better control of her emotions than Gibbs.

Sometimes she felt like Gibbs was one giant walking talking carbuncle of rage that needing lancing, not only for his own good but everyone around him. She wondered if today was the day that his anger had spontaneously exploded – all over the director.

~o0o~

Ignoring Caitlin Todd's departure from the meeting – well at least for the time being – Morrow fixed his directorial glare at the two remaining members of the MCRT.

"As I said, gentleman, this latest in a long line of screw-ups since Probationary Agent Todd was hired is unacceptable and there will be consequences. Hell, there already has been. Your closure rate has slipped down below its average of 96 percent but more importantly, your conviction rate is in the crapper."

Tony looked crushed. "Director Morrow, this is all my fault, Sir..."

Interrupting the senior field agent before he even got started, Tom glared at him.

"I see. So, you were there when Agent Todd interviewed the suspect without first reading him his Article 31 rights, were you, Agent DiNozzo?"

Tony shook his head reluctantly. "No Director, but I should have been."

"So, you were goofing off, when you were supposed to be in the interview room, supervising a
probationary suspect with her first ever interrogation of a suspect?"

Shaking his head, he answered reluctantly, "No, Sir, I wasn't.

"What WERE you doing, DiNozzo?"

Tony seemed to think about his answer carefully before grudgingly replying. "I was setting up the sting to catch out one of our suspects."

"Which suspect would that be, Agent."

"ATF Agent Melinda Stone, Sir."

"And did you do this off your own bat instead of supervising Agent Todd?" Tom pressed him, although he'd read the reports and already knew the answer.

"I was following orders, Sir." He replied unhappily.

Tom understood he was unhappy about not being able to cover up for the junior agent and his boss. The NCIS shrink had already identified his almost obsessive need to protect his teammates (from bullets, from perps or from getting onto Gibbs' shit list) so it wasn't going to work on Morrow.

"Who gave you those orders?"

Tony looked like he was struggling to answer the very simple question, so Morrow threw him a lifeline.

"They were Gibbs orders." He said it for the conflicted agent. "So, I fail to see how Todd's stuff-up was your fault, then. Unless...you recommended that she should do the interview without supervision...when she had never conducted one before?" He looked at the SFA who very reluctantly shook his head no.

"I see. And even if you had, you are only the senior field agent, not the senior supervisory agent. So
that still doesn't make it your responsibility for such a boneheaded, asinine move. You didn't turn over the interrogation of a prime suspect in the high-profile case of the illegal sale of military weapons to a green and plainly incompetent probationary agent." Tom observed with a scornful glance at the other occupant at the conference table, managing to quell Gibbs angry retort.

"Stand down, Agent DiNozzo," Morrow ordered his agent sternly.

DiNozzo's propensity for accepting blame for every damned incident that went wrong on the MCRT was well known. Some of the other SSA's had noted it and the director was pretty certain Gibbs was aware of it too. Aware of it and happy to use it to manipulate him when it suited his purposes, but Tom wasn't about to allow Tony to take responsibility for this screw up when he was blameless.

His undercover work had been by the book and if the whole case hadn't ended up a disaster, Morrow would have been recommending a commendation for his contribution. His flirting and admiration of the ATF agent had helped keep her off guard and the joint ATF/NCIS undercover operation had been a great success. Sighing, he refocused at the problem at hand.

"You however are responsible, Agent Gibbs for letting Todd conduct the interrogation." He declared as he stared at his most annoying and troublesome agent, bar none.

"You used your 'Carte Blanche' card to hire her after she resigned from the Secret Service in disgrace for fraternization. Hell, she almost allowed the POTUS to be assassinated which isn't exactly a glowing recommendation in my book! And after you hired her against my better judgement, you argued strongly that it would be degrading for her to attend FLETC training because she'd previously been a team leader. You assumed responsibility for training her and I agreed, reluctantly and stupidly."

Yeah...okay. Only because you and the Sec Nav outvoted me. In his humble opinion, Ms Todd could do with a massive dose of humbleness. A little bit of indignity might be the making of Ms I'm-A-Psychological-Profiler-Who-Protected-The-President.

"Problem is that you didn't train her, did you? Oh, my bad! You did train her. You trained her how NOT to follow the chain of command. You trained her to believe that it was OKAY for her to be an arrogant asshole, even though she has no cause to be conceited about her professional abilities. She sucks as an investigator and a criminal psychological profiler. You've done NOTHING to encourage her to develop sorely needed skills required to be a half decent NCIS investigator."

Tom flashed a look at DiNozzo who was trying to pick his jaw up off the floor. He also noted that Gibbs was sending the young agent poisonous looks, his right-hand clenching and unclenching, no
doubt longing to head slap the younger agent and let off some emotional steam.

Smiling inwardly, Morrow continued his assessment. "Big picture here - Probationary Agent Todd has done nothing but screw up almost every time she has been given a task. You, as her senior supervisory agent, have done nothing to discipline her or ensure that the situation is corrected. You let her run around unsupervised – this isn’t the first time, but it will be the last!

"To summarise the current state of affairs, you've screwed the pooch big time when it comes to your Probie. She should never have been allowed to question Master Sergeant Rafael on her own and therefore Judge Mendez dismissing the charges is on your head, Jethro. It pisses me off that a criminal is walking away because of your incompetence and inability to lead your team, Agent Gibbs. There is going to be significant consequences from this," the director promised grimly once more.

And this time your pal Sec Nav won't be able to protect you.

Tom had already had heated telephone discussions with Sec Def who was a far from happy camper. He’d fully sanctioned Morrow's desired course of action. The fact was that the JAG was baying for Gibbs' blood and had already ripped into him which was fortuitous.

At which point, DiNozzo who had been silent, albeit reluctantly, could no longer contain himself. "Please, Director Morrow, this IS my fault. I should have made sure that Cate, ah Agent Todd knew that she had to read a suspect their Article 31's before she questioned them." Tony tried to mitigate the fallout which Blind Freddy could see was going to be bad for Gibbs, who up until now had seemed to be bullet-proof.

Sighing deeply, Tom fixed him with an intent glare. "Why? Did you have any reason to suspect that Probationary Agent Todd, who had never before conducted a suspect interrogation, would be placed in a situation where she was left in there alone with Master Sergeant Rafael, Agent DiNozzo?"

Tony opened his mouth to answer of course not, no one in their right mind would allow her to question a suspect in such a high-profile case but closed it quickly. Belatedly he realised whichever way he chose to answer the question would be damning...for his team leader. If he said yes, it would reflect very badly upon Gibbs since it was not SOP for a probationary agent to be permitted to interview suspects without supervision, particularly the first ever time they conducted an interview.

It was sheer stupidity and most definitely against agency rules and regulations. For a damned good reason! By admitting that he had reason to suspect that Gibbs would allow her to do something so critical to the case without any supervision, it spoke to the whole way Gibbs had been running the team, rather than it being a one-off aberration.
If, however, Tony said no, he had no reason to suspect that Gibbs would turn her loose with a suspect, it was tantamount to putting the whole blame for the monumental screw-up onto Gibbs. Even if the Boss was to blame, asking him to publicly criticise Gibbs who was his superior, partner and mentor was a tough call too. He was in a no-win situation and Morrow finally took pity on him.

"It's okay, DiNozzo, you don't have to answer that. But answer this question instead. Say for the sake of argument that you did anticipate that Cate was going to be left conducting an interview of a suspect without supervision, what would you have done?"

"I'd have stressed that if you have any suspicion that the person you are talking to is responsible for the crime or even another crime not currently being investigated, that you need to stop questioning them immediately until you have informed them of their Article 31 rights if they are military. And if they are civilians then you must read them their Miranda rights to advise them they have the right not to incriminate themselves." He replied automatically without pause.

“Anything else?” Tom pressed.

“And I’d have arranged an experience agent to supervise her,” he admitted reluctantly.

Morrow nodded approvingly. "Quite right. But what makes you think that Agent Todd, despite her probationary status and being the most junior member on the team would have even listened to you? After all, Gibbs countermanded your order to her at a crime scene (on her second case) telling her that she didn't have to follow your orders, only his. And since then, she's blatantly disregarded the chain of command, unless Gibbs gives her an order."

Tony looked stunned, opening and closing his mouth numerous times before he finally responded with, "How do you know that? I never told anyone."

Tom grinned sardonically. "No, you didn't. You're too damned loyal for your own good, Tony. But you weren't the only one at that crime scene when Gibbs effectively told a rookie agent to ignore everything you, her senior field agent, told her." He paused a beat before he revealed, "As to how I know, I was approached by several individuals who thought I should be aware of what was going on with the MCRT."

And I wish I'd had the balls to act back then instead of caving in to Sec Nav's pressure. Maybe things would have been different...or maybe if I'd defied him and stepped in to stop it, Sec Nav would have given me the boot and put in someone else as director. Either way, at least I would have a clear conscious now.
Tony looked shamefaced that Tom had known about Gibbs very public vote of no confidence in his abilities as an agent. "But it is my fault, Director. Maybe if I'd been more competent, hadn't let Gibbs walk all over me – if I'd insisted he follow the chain of command or replace me if he had no confidence in my abilities, it would have been a different ending to this case," he protested.

"Maybe then I or the SFA who replaced me would have taught Agent Todd that you never ignore Miranda and Article 31 Rights. Master Sergeant Rafael wouldn't have gotten off scot-free."

Morrow nodded, "Maybe, Son but it wasn't your responsibility. If she'd attended FLETC and taken the law enforcement courses she needed to, Todd would have known how critical it was to gain a confession, legally. So, it is on Gibbs' head to make sure she knew, not you."

Seeing that damned stubborn expression on DiNozzo's face, he felt frustrated as hell. Guilt! It was the same damned guilty look the senior field agent had worn when Gibbs 'requested' Vivian Blackadder's reassignment asap, despite DiNozzo's best efforts to change Gibbs mind. That time he'd blamed himself for picking her for the Rota takedown.

Morrow decided a show of solidarity was in order. Even though someone like Gibbs would scorn him, calling it a sign of weakness, he felt sharing his own feelings of regret and, yes, guilt with DiNozzo would be helpful to the struggling agent. He also decided that if Gibbs made it through all of his disciplinary actions to lead the major case response team once more he would find Tony a new team where his skills and abilities weren't taking for granted. Still for now he would settle for making him feel better.

"You aren't on your own when it comes to feeling guilty over standing by and doing nothing. I should have acted immediately when I knew that Gibbs wasn't observing the chain-of-command – that he was encouraging Todd to be insubordinate. And let's face it, I'm the director - I had way more power to effect change than you had when it comes to making Gibbs do something he doesn't want to."

He studied the downcast features of the young agent, kicking himself.

"I get why you let it slide. But he doesn't deserve it," he cocked his head towards Gibbs cynically. "Anyone who treats his partner like shit doesn't deserve your silence, loyalty or admiration. The truth is that you are better than you know." You are a far better investigator than Gibbs and a better person.

He felt Tony's astonishment – not surprisingly. Question was, was it due to Morrow admitting he made mistakes – something Gibbs certainly never did with his subordinates and seldom if ever with
his superiors. Or was Tony shaken by Morrow using Gibbs own tactic of excoriating a superior in public, especially in the presence of a subordinate?

He knew that Gibbs was getting progressively angrier – an explosion of seismic proportions was imminent. Although he'd wanted Tony to be privy to the rest of the interview, seeing how quick he was to cast himself in the role of the bad guy, Morrow decided to get his mind off the whole mess and send DiNozzo off to do what he excelled at – investigate. Tom could catch him up on the rest of the proceedings later.

"Enough of the what ifs, Agent DiNozzo. They are a waste of your valuable time and energy. They get in the way of you doing what you do best – which is investigate. Find a way for us to charge Master Sergeant Rafael with something – if not illegal sale of military weapons or murder, then find something which will result in a dishonourable discharge."

~00o~

Tony rose to his feet, happy to be given something constructive to do. He wanted to fix this mess, so he could sleep tonight.

The director hadn't quite finished with him apparently. "The Corps want Rafael gone, yesterday! If anyone can, you can find it. Go away and study the case again – also familiarise yourself with his jacket. And Tony, I know I don't have to remind you that we need to have an air tight case – especially considering the FUBAR situation we've just witnessed. I want to be kept in the loop about this every step of the way too, so I can try to soothe TPTB." He said wryly.

Tony nodded his agreement at Morrows orders before looking uncertainly at Gibbs who just glared back at him angrily. Shrugging resignedly, he nodded, accepting that Gibbs didn't want or need his help.

"Yes, Director Morrow," he replied deferentially as he exited the room quickly, suddenly eager to get away. Investigation had always been something he could lose himself in and right now he felt his emotions threatening to bubble over. Being intensely private about his emotions Tony despised any loss of control, and with good reason. When he did show a vulnerable side, he inevitably regretted opening up and trusting people who used his weakness against him.

He knew he could lose himself in the case and he frankly welcomed it. It was one he had little to do with on the investigative side, He'd been otherwise occupied with keeping Melinda Stone from getting suspicious and setting up the sting to take her down. He was eager to go back and really look at everything that had happened from the point where he'd gone under cover – looking at it as he
would a cold case.

Leaving the director's office and stepping out into the outer office, he spied Cate sitting haughtily on her chair, checking her Blackberry. While she was trying to look nonchalant, Tony noticed she was pale, and he saw past the façade, noting her biting her lip and sweating – both of which he knew were a sign of anxiety.

‘Perspiring, DiNozzo,’ he heard Cate correcting him in her you're-such-a-stupid-pig voice. Aside from her nervousness, he concluded that she was also as mad as a hornet – her brown eyes were stony, and she glared at him, practically daring him to say something to her.

To be honest, he had no intention of engaging in a conversation with her. He knew she'd be quick to call him a pig or a chauvinist or somehow blame him for what had happened. Since he was already aware that it was his fault, he didn't need reminding of the fact by a sharp-tongued shew. He was sorry for her and concerned about what would happen; he also knew she wouldn't want his sympathy or encouragement – he was just a dumb jock ex-cop.

Tony had seriously contemplated telling Morrow that he'd been flirting with Melinda Stone when he’d asked, to try get her off the hook but had decided against such a risky move for one crucial reason. He had no idea where Stone was while Cate had been interviewing Rafael since he'd been liaising with Agent Roger Cooke from the ATF.

For all Tony knew, Stone could have been talking to the director. While he wasn't above telling a white lie to protect a teammate, he'd learnt in his undercover roles to make sure any lies he told weren't ones that were easily refuted.

Sighing, he flashed a sheepish grin at the very attractive Ms Somers, positive that the director's executive assistant knew exactly what was going on in her boss' office. When he saw her sympathetic smile he grimaced, gave her a half-hearted wink, and departed.

He felt bad leaving his partner/mentor/friend to face the director alone but in the last year, Gibbs had made it damned clear he didn't need or want Tony's friendship anymore. Tony wasn't even sure if the boss wanted him on his team, although he clearly hadn't needed him as a partner, not since he'd hired Caitlyn Todd.

He made his way down to his desk, eager to do something to fix the mess his team (himself included) had created, and the director could say what he liked, if he had been any sort of senior field agent, he would have stopped it happening. Thinking about how Gibbs had made it abundantly clear that he didn't need him anymore made the former cop remember what the director had said about Cate being
forced to resign because of fraternization.

Gibbs had never bothered to tell him about why she had left the Secret Service when he announced she was joining the team. He'd made it sound like he'd been invoking Rule # 5 – You don't waste good. Yet according to Director Morrow, she'd essentially been forced into handing in her resignation before she was kicked to the kerb by the Secret Service and not just for fraternisation but for failing to prevent the assassination attempt on the POTUS. Somehow, it made Gibbs effectively neutering him when she first joined the team even more of a slap in the face to him than if Gibbs had poached her away from the Secret Service.

It said to him that Gibbs had such a lowly opinion of him that he valued a reject from the US Secret Service above his own senior field agent, who he had recruited by quoting Rule # 5. And like a damned fool, Tony had taken Gibbs at his word. He'd believed him and looked up to Jethro, happy that someone thought he had potential. But obviously he'd been bullshitting Tony - why else would the Boss have made sure she never listened to a word he said. And despite what the director said, if that wasn't Tony's fault for not being able to live up to Gibbs' high standards, well he sure as hell didn't know who else was to blame.

He wondered how long it would be before Tom Morrow saw what Gibbs evidently did. Perhaps he needed to start updating his resume. At least he'd managed to last more than two years at NCIS - it was almost 3 years since he'd joined the MCRT but in Tony's experience, people ended up tiring of him after a year or two. So, he should have seen it coming.

Oh well – it was good while it lasted.

Reaching his desk, he sat down and set to work. Booting up his computer he quickly checked his email, noting that Commander Harmon Rabb Jr and Lieutenant Colonel Sarah Mackenzie were wanting to catch up and have a drink with him. He laughed mirthlessly, finding it totally ironic since Rabb was the lawyer who'd been defending Master Sergeant Rafael and had trashed the MCRT's investigation, being especially brutal about Cate's blunder.

Gibbs was livid, especially since the MCRT had gotten the commander off a murder charge when a fellow lawyer had framed Rabb for the murder of Lieutenant Singer, another JAG lawyer last year. So, Gibbs felt like Rabb owed them.

The boss would tear Tony a new one if he knew he was consorting with the enemy but then, Tony wasn't like Gibbs. He tried to stay on good terms with everyone. You never knew when you might need their help to solve a case.
Ever since Tony had exonerated Harm last year, they'd gotten together for drinks on a regular basis – well as regular as their caseloads permitted - which was not as often as they would have liked. They both had a lot in common – both were juniors, although Tony absolutely despised having to share his father's name and Harm was proud to.

Both men had grown up with absent fathers although in Tony's case it was because his father had neglected and disowned him. Both men believed in serving their country, putting their careers before any romance, or having a family, although to be fair, Wendy left him, and Tony didn't think it was because he was career driven. And finally, they both had bosses whose middle name was Jethro (well until Admiral Chegwidden retired recently) ...what were the odds on that last one?

Sometimes Sarah Mackenzie (Mac) who was Harm's work partner had joined them in the past for drinks and once Lieutenant Bud Roberts (a junior judge advocate who was, coincidentally another Junior too) had come along as well. That was before Gibbs had tricked him into signing off on a bunch of search authorisations by asking Roberts to finagle he way past using the Armed Forces DNA Register for solving the murder of Sergeant Larry Fuentes, instead of the purpose it was intended – the identification of deceased military personnel.

Bud was pretty pissed off when he'd found out that Gibbs had suckereded him. Gibbs, knowing full well that there was no way to access the DNA Register but hoping that Bud would be rattled enough by Jethro's head games, so he could trick him into signing off on a bunch of search authorisations. Gibbs lived up to his reputation as a bastard, especially when he was hell bent on closing a case – and that one had been a dead Marine plus there was the Marine's kid. With two of his emotional triggers – a woman and a cute kid, of course he was going to be on a mission to solve the case and he didn't care who he had to mow down to achieve his goal, either.

Firing off a quick email agreeing to meet tonight if a case didn't impede on his plans, DiNozzo picked up Master Sergeant Rafael's file, hoping to turn his suspicions about the man into downright certainty.

Opening up the transcript of Master Sergeant Rafael's which Cate had gained illegally, he read through it carefully. They couldn't use it – it was tainted evidence – but he could get a feel for the suspect and he was curious to see if he could prove his hypothesis.

Someone, presumably McClain, Stone or Rafael had killed their other partner, Master Sergeant Grimm – very violently. Tony's money was on Rafael.

Remembering Cate's reaction when he'd expressed his theory about the killer to her initially, even before the charges were dropped, she had immediately pooh-poohed them, calling him a chauvinist pig.
"Why do you assume he's the killer? Because you think women aren't strong enough, violent enough or smart enough to kill a big bad Marine, DiNozzo?" she taunted him scornfully. "Women aren't all bimbos, just because you sleep with Barbie dolls with the IQ of a pet rock."

He smirked. Cate was so predictable. He was perfectly aware that women were equally capable of killing when the situation warranted it. How many times did the wife, girlfriend or lover do it when he'd been investigating murders as a cop and latterly as a federal agent? Many times, the killer turned out to be female - proving that you didn't want to get on the wrong side of a woman.

That said, it still didn't change his theory that Rafael had been the killer in this instance.

For a start he thought that they had all grossly underestimated the Marine master sergeant, particularly Cate. Tony knew a lot about being underestimated. He was much smarter than most people gave him credit for – particularly Cate and apparently Gibbs, who he'd always thought saw beyond the dumb jock mask he wore. Tony was pretty sure that Rafael was a lot smarter than most people gave him credit for, too.

McClain on the other hand... she had to be the dumbest killer ever (if she had killed Grimm) because of her lying to Cate in the gym about not knowing the victim well. If she had an ounce of smarts she would have known that they'd be looking closely at everyone that Grimm worked with and discover her lie pretty damned quickly. After all, she was his partner for Pete's sake! By saying she hardly knew him when they were partners – that was just plain dumb and would instantly make them suspicious of her.

Plus, her supposed alibi was risky. If SOP had been followed (i.e. double checking it with Corporal McKenzie or going to the motel and getting a proper ID of his companion) they'd have soon discovered she was lying about being with her boyfriend. Although she'd really lucked out with the debacle that Tim and Cate had made over checking her alibi, she had no way of knowing that it wasn't going to be checked out by a competent investigator and therefore easily disproved. So yeah... really dumb!

Of course, it was possible that she was a dumb killer – they existed. He'd run into a few. Maybe after she broke up with McKenzie she got together with Grimm. Perchance she caught him cheating on her... or maybe he dumped her. A woman scorned could be highly dangerous, Tony thought ruefully, remembering the vulnerable amnesiac bomb maker, Suzanne O'Neill who had turned out to be a vengeful vicious killer.

Anyway, that clearly was an avenue of investigation that needed to be followed up before McClain's trial. Were McClain and Grimm more than work partners?
Although he didn't think it was likely in this case, it would be criminally negligent not to check that angle out thoroughly – which he would.

But there was something else that bothered him about the Rafael interview – apart from the obvious failure to advise him of his rights. Something had rattled him even before Cate had threatened the master sergeant with charges or had shown him the crime scene photos of Sergeant Grimm. Calling up the recording of the interrogation he watched the whole thing intently a number of times.

The senior field agent deliberately tried to avoid thinking about the fact that although he was a more than competent interrogator (had lots of practice during his years as a cop) Gibbs rarely if ever permitted him to interrogate suspects, yet had let Cate – a virgin, go in, totally unsupervised to do one. Yet more proof that Gibbs had lost any faith in his abilities and it was time to be moving on.

Hitting rewind, DiNozzo stuffed his hurt at the lack of trust and respect down deep and focused on his target – Master Sergeant Rafael. He watched the tape a fifth time, feeling he was close...very close. Hitting replay, he watched it again.

And there it was! Rafael reacted when Cate had mentioned getting hold of his phone records. What was in them that had made him so antsy, Tony wondered. Looking through all the evidence of her investigation for the records of his cell phone calls, he realised that Cate had never bothered to request them. She'd been bluffing and clearly decided that the confession was enough, so she hadn't followed up her threat. Rookie mistake!

He had a feeling that Rafael had been lying when he'd said it was just a one off – stealing the weapons. Perhaps they could prove that with his cell phone records. Picking up the desk phone, he asked Joe Landers, NCIS Head of Legal if he had time to see him and organise authorisation for a search of Rafael's phone records for the last three years. Joe said he had a few things to finish up and to come down to Legal in 45 minutes.

Feeling movement above him, Tony looked up and saw Gibbs stomping down the stairs from the mezzanine level, two security guards trailing in his wake. Gawking in stunned silence, as was everyone else in the bull pen (most like Tony were open mouthed) Gibbs made his way to his desk, ignoring them all. The former gunny retrieved his gun and his badge and slapped it down on his desk with disgust and rooted around in his desk to find his car keys and wallet. Grabbing his sports coat where he'd hurriedly flung it over the back of his office chair when they'd returned, Leroy Jethro Gibbs, avoiding eye contact with everyone, including Tony, headed for the lift.

Tony didn't know what to think. Had Gibbs been terminated? Was he next – after all, it was as much his fault as it was Gibbs that the case got thrown out.
After Tom had sent DiNozzo on his way, he scowled at Jethro. "I don't know what you did to
deserve his loyalty and respect, but you should at least try to be worthy of it."

Shrugging, he turned to the matter at hand. "Okay, let's stop beating around the bush. What on earth
possessed you to let a rookie conduct such an important interrogation?"

"I was with Abby, creating a legend for the undercover Op so we could locate the weapons and
prove that Stone was a dirty cop. DiNozzo was busy setting up the sting with ATF Agent Cooke."

"Oh well... that's all right, then." The director said with much sarcasm. "Honestly, Jethro. That's the
best you can do? I was busy?" He demanded incredulously.

Gibbs scowled but didn't respond.

"If you were that busy that it couldn't have waited until you were done creating a legend, then you
dammed well should have let Rafael stew until you or DiNozzo had enough time to do the
interrogation. That way if you were hell-bent on her doing the interview, at the very least, one of you
would have been there to supervise her and stop her screwing the pooch. She fucked up his
conviction before it even started." Tom pointed out what should have been obvious to such an
experienced agent as Gibbs.

"Here's a thought!" Morrow drawled, his sarcasm absolutely cutting. You could have asked another
EXPERIENCED agent to do the interrogation for you if you were short on manpower. Someone
who knew his ass from his Article 31s. Hell... I would have done the interrogation if there was no
one else but a damned rookie.

"So, I'll ask you again, that on earth possessed you to let a rookie conduct an important
interrogation?"

Gibbs ice blue eyes were flinty with anger, his fists clasp so he didn't hit tightly together
something...someone. "Cate isn't a rookie. She's been a Federal agent for nearly ten years."

Morrow refrained from commenting that she'd also effectively been fired from her last job for some
pretty serious deficiencies. "And exactly how much investigative experience has she had in the last
ten years? There is a damned good reason why she is on probation. She wasn’t with the investigative
branch of the Secret Service. She knows fuck-all about investigating crimes. You wanted to hire her
because she had balls and she was a profiler.”

The director glared at a defiant Gibbs. "Well personally, I think her claims about being a hot shot profiler are extremely dubious. But leaving all that aside, the reason why she is a probie is because she doesn't know what she is doing when it comes to investigating crimes, conducting interviews with suspects and victims. She has screwed up so often since she was hired that I think it would be better for all concerned if she did resign. I suspect NCIS won't be so lucky for her to quit and unfortunately, because you have failed to supervise, teach or discipline her when she's messed up, I can't sack her legally."

Gibbs folded his arms obstinately and returned Morrow’s glower.

Morrow shook his head in disgust. "But it takes more than big balls to make it in this business, you've got to be willing to learn. If she does stay, she WILL go to FLETC – that's non-negotiable. Then when she comes back I'm going to insist that she is supervised so closely, I'll expect them to record when she goes to the head or the tea room for a coffee.

"Fact is that while she thinks she's hot stuff, she's a liability. Worse than a probie because at least a rookie accepts that they know didley squat, so they are usually willing to listen to their betters and learn from them. She's an arrogant know-all and it's your damned fault for not disabusing her of the notion that she knows what she is doing."

Tom was surprised that Gibbs managed to keep his trap shut and not lose his temper and storm off but he reckoned maybe the fact that the Judge Advocate General had kicked his ass would have taken some of the wind out of his sails. Looking at the folder before him, the director sighed, deciding to move onto his next grievance.

"Okay, let's talk about the debacle re checking out a suspect's alibi, Agent Gibbs," he said, sternly. "Explain to me how the hell that happened."

Jethro shrugged. "Cate discovered the link between Grimm and Corporal McClain, that they were partners – a fact McClain had failed to disclose when Cate talked to her at the gym. So, she went back and demanded an explanation from McClain who claimed she wasn't present when the weapons supposedly disappeared. Said she'd been in a motel with her boyfriend in the Army who was shipping out the next day when Grimm stole the weapons.

"McGee checked her alibi with the motel manager, although he didn't have a photo of her, but the motel clerk gave a verbal description of the woman with Corporal McKenzie. When he did have access to her photo at a later point in the investigation, he failed to follow it-up. McGee wrongly assumed that it wasn't necessary." Gibbs grumpily gave a summary of what had occurred.
"So, why wasn't there a check on McClain's alibi by talking to her boyfriend?" Morrow questioned Gibbs.

"There was. McGee did it."

"When did he do it?" The director asked, even though he already knew the answer.

"After Master Sergeant Rafael confessed that he, Master Sergeant Grimm and Corporal McCain were in on it together. Cate asked McGee about the alibi and found out that he hadn't got a photo identification of the female and McKenzie at the motel. She then sent a photo and the motel clerk said the woman at the motel wasn't McClain. Meanwhile, McGee called her boyfriend, Corporal McKenzie and found out he'd broken up with her a month earlier. " Gibbs continued to supply details, albeit grudgingly – hating that the director was going through the investigation with a fine-tooth comb and second guessing them."

"Okay, now explain to me why McGee was part of the investigation? I okayed him being in DC, so he could work on the downloading of those year-books from the U.K. universities you wanted on your hard drive to ID the terrorist from Autopsy that you're completely obsessed about. I did NOT authorise him TAD as a fourth investigator for this case. He should have been back at Norfolk."

Gibbs growled, his anger simmering away underneath the surface. "Because our resources were stretched thin. DiNozzo was working undercover and I was his backup and then when I was undercover, I needed his backup. It was a dangerous Op and imperative that we recovered the stolen weapons, therefore, it required highly experienced agents."

Pausing to take a breath he glared at the director. "Plus, we suspected Agent Stone - we had to keep her under constant surveillance without tipping her off that she was under investigation. It required agents with finesse and experience working undercover."

Tom scowled fiercely at his incredibly stupid senior supervisory agent. "So, with both experienced senior agents otherwise occupied, you thought it was a good idea to have McGee help another probie? Who was supervising them Gibbs? Oh, that's right...no one!" He raised his voice in anger.

"And tell me, whose idea was it to ask McGee to check Corporal McClain's alibi? Was it yours?"

Gibbs frowned. "No, Cate asked him to."
Tom said, "Why would she presume to delegate that task to McGee. She should have damned well done it herself and if she couldn't find the time to do it, she should have dropped the problem in your lap."

"She's used to delegating – she was a team leader in the Secret Service."

His voice dripping with derision, the director replied, "I don't give a flying fuck if she's a former president of the United Nations. Here she is still a probie! She has no authority to make command decisions or delegate tasks in an investigation. She doesn't know what the hell she is doing."

He pushed back his chair and stood up, needed to pace in order to dispel some of his anger.

"Then to add insult to injury, after delegating the checking of an alibi to someone who was supposed to be completing their own assignment (an agent who by the way, had even less experience in field work than she did if that's possible) and then she failed to supervise his process."

Tom stopped pacing and leaned forward, resting his hands on the table and yelled at his troublesome SSA.

"Which is why you don't leave a probationary agent alone to run down leads, check alibis, interview witnesses or interrogate suspects, you dumbass! You have to supervise them every step of the way."

Changing tack, he asked. "Did McGee ever meet Corporal McClain?"

Caught off guard, Gibbs looked surprised but answered truculently. "Yeah when he and Cate arrested her."

"Okay so how the blazes was he able to describe her to the motel clerk and satisfy himself adequately that that she matched the description of Corporal McKenzie's girlfriend at the motel?"

Gibbs was stumped because the truth was that without a photo he wouldn't. Todd had met her and talked to her – she should have done the alibi check if there was no photo to verify the ID. It was very sloppy work and even Gibbs couldn't put a positive spin on it.

"If someone had been properly supervising Todd and even McGee since he was working the case unauthorised, they would have ensured that the alibi was checked properly and the fact that McClain
was in on the scam with Rafael and Grimm would have been established a helluva lot earlier." Morrow pointed out, his tone deceptively mild.

"That would have meant that you could have played both Rafael and McClain off against each other AFTER reading them their Article 31s and got them to turn on each other. That would have meant BOTH confessions would have been admissible.

Jethro opened his mouth to say something, but Tom jumped all over him.

"Don't say ANYTHING, Jethro. For once in your damned life just shut up and listen!

"As I said, you'd have had two admissible confessions but instead there's the FUBAR we have now – the charges against Master Sergeant Rafael dropped because his confession was gained illegally. And you can bet your last dollar that McClain's lawyer will use that to put all the blame on Rafael for the murder of Master Sergeant Grimm. McClain will say she was just going along with it for the money - that she didn't kill Grimm, Master Sergeant Rafael killed him after a falling out over the money.

"And guess what? With a half-waves decent judge advocate representing her, she'll probably pull it off. She'll also find a way to mention that Rafael's confession was obtained illegally and that will throw reasonable doubt on not just her own actions but the MCRT's comportment during the investigation. What's the betting that she claims you set her up at the shipping container?"

Giving his most infuriating agent the gimlet eye, he demanded. "Is that what you would call a successful outcome, Gibbs? Because it sure as hell doesn't count as one in my book."

"Whadda ya want me to say, Tom? Yeah it was a FUBAR situation. Shit happens. We still have a dirty Fed locked up, bang to rights. We've also recovered the stolen weapons. That's a damned good outcome!

Tom found him shaking his head in disgust at how dense Gibbs could be when it suited his purposes and yet he was supposed to be a savvy investigator. One of the best in the business if you believed the hype. Taking a deep breath to steady himself, he replied sharply.

"What I want you to say, Agent Gibbs is that getting a conviction for one out of three dirtbags is NOT good enough and it never will be. What I want you to say is that you dropped the ball badly on this one.
"What I want you to acknowledge, is that you were so damned obsessed with closing this case as quickly as possible, so you could get back to your fanatical search for the Autopsy Terrorist that you repeatedly ignored procedure, leaving a probationary agent without supervision."

He picked up the neon yellow stress ball Cynthia had given him to help reduce his blood pressure and chucked it forcefully across the room. He'd been momentarily tempted to launch it at Jethro's head.

"What I want you to admit, is that your actions on this case and ever since you hired Probationary Agent Todd have been woefully inadequate, bordering on negligent on pretty much every case you've worked since.

"What I want you to say it that it's been one hot mess after another and that you accept responsibility for it!"

Seeing Gibbs' sullen expression and folded arms telegraphing his stubbornness to accept blame, Morrow felt his blood pressure rapidly increasing and despite telling himself he needed to remain calm, he couldn't help but raise his voice.

"What I want is for you to realise that your management style, is crap. Micromanaging is never the sign of a good manager. Micromanaging while pitting team members against each other – especially when they are of unequal rank and levels of ability and experience isn't just wrong – IT'S FUCKING STUPID!

"If the Marines did that, it would result in complete and total chaos – hierarchical chain of command is there for a damned good reason.

"You'd never have gotten away with that shit when you were a Gunny. Good Lord, man...that style of leadership only appeals to an individual who is narcissistic, insecure, a bully and a coward. Good leaders lead by example, they are measured, fair and don't put the fear of God into their team for merely breathing without permission.

"Forget about all the recent screw-ups. On this case, what you did as the team leader amounts to dereliction of duty. You wanna play undercover agent when you are team leader, then at least have the brains to request an experience TAD who's trained to supervise your probie in your absence."
In the silence that followed, the director hoped that at least some of what he said had gotten through Gibbs' thick head. His optimism was shattered when Gibbs shrugged and replied, "if that's all, I've got paperwork to do." He started to rise as if to leave.

Shaking his head in disbelief, he gave the ex-marine a stink-eye. "We're done when I say we're done. Did I say we're done, Agent Gibbs?"

Grunting in reply, Gibbs resumed his seat with that mocking half-smile of his. Morrow felt an uncharacteristic impulse to knock his head off. Reminding himself that this wasn't the first time he'd given Gibbs dressing downs about cases this year where Agent Todd had screwed up, essentially because Gibbs let her (with sometimes catastrophic results) and been ignored by him.

Trouble was that Gibbs could always afford to be cocky since Gibbs knew Morrow was impotent to make changes or discipline him because he and Sec Nav were BFFS. But this time Tom had all his ducks in a row and he wasn't impotent anymore. He had an erection the size of Mount Rushmore and damn, it felt good!

Smiling inwardly because at long last he could make changes and effect disciplinary actions that would make a difference. He continued, his equilibrium somewhat restored; having the upper hand for a change was soothing.

"So, I did say at the beginning of this meeting there would be consequences for the MCRT letting a corrupt Marine, who may also have been a murderer, get off on a technicality. And I meant it. Probationary Agent Todd is fortunate to still have a job, but her probation will be extended – at least a further 18 months – depending on her progress. Plus, she will be attending classes in criminology and forensic science among other courses.

"DiNozzo's consequences we'll leave to the side for the moment but he's not going to get off unscathed by this disaster and I don't envy him. Especially since what happened had nothing to do with him. You, Agent Gibbs are suspended for two weeks without pay.

"DiNozzo will lead the team in your absence and you will, while you are at home, refamiliarize yourself with NCIS's rules, regulations and procedures in anticipation of your return. My expectation is that upon your return, you will be an exemplary Senior Field Agent supporting the new team leader of the Major Case Response Team. Any more failures..."

"You can't demote me, goddamnit!" Gibbs roared furiously. Unspoken but implicit in his statement was the mutually understood 'because SecNav will never allow it to happen.'
Well, Gibbs was in for one helluva surprise, Morrow thought maliciously.

Tom noted with satisfaction that the annoyingly mocking half smile had been wiped off the former sniper's face. His blue eyes blazed with fury and his nostrils flared.

"That's where you're wrong, Agent Gibbs." He told his subordinate harshly.

"I can... and in fact, I already have demoted you and it has already been filed with HR. I have consensus on this action from SecDef and the US Attorney General, DOJ, and DOD, all the way down the line. Let me just say that when you pissed off the Judge Advocate General, who in turn pulled some strings with the Joint Chiefs of Staff - and well your pal SecNav agreed with his superiors' concerns with alacrity.

Of course, I should warn you that the Commandant of the Marine Corps is furious about Rafael and if McClain walks away from this (because of your dereliction of duty) they will both still be in the Corps. Hell no he's not furious, he's out for blood - he wants you skinned alive or boiled in oil at the very least. So, count you blessing that I'm not busting you all the way down to probationary agent, Gibbs. I could... easily."

"You need me, Tom. I have the best closure rate in all the alphabets."

"First off, there is no I in team, Gibbs. The MCRT has the best closure rate and the team is more than one individual. No one person is indispensable. Second point, the closure statistic used to be true but since Agent Todd joined the team which also coincided with you abandoning the chain of command and allowing a rookie to make command decisions, your closure rate has tanked."

Gibbs frowned at that news, preparing to challenge it so the director produced a report from the pile of papers in front of him with a flourish, suggesting Tom was rather enjoying this dressing-down. It had been a long time coming.

Gibbs flicked through the report which had been authored by Joe Landers, Head of the Legal Department at NCIS. According to him, their closure rate had dropped steeply in the last nine months, now it was hovering at 78.56 percent. In Lander's words, an alarming drop and he'd even produced a colourful graph that highlighted the rapid decline pictorially. Dropping the report back on the table, the former Marine clenched his fists as he struggled to keep his temper in check.
Morrow said, "There's a lot of speculation as to the cause of your closure rate falling away. Most of the Alphabet agencies have betting pools on when you started sleeping with Todd. They argue that there' no other logical explanation for the breakdown of the team dynamics and close out figures."

Gibbs opened his mouth to respond but thought better of it when Morrow frowned at him.

"Personally, I don't think you are sleeping with her. However, I'm also at a loss to know why you treat her like the Queen of England rather than the green as grass rookie that she is. If I find out otherwise though, there will be hell to pay. When you come off suspension you will have to take a polygraph, to convince The Powers That Be that you two aren't having an affair before you'll be allowed to re-join the team."

"What the hell! As if I'd break Rule # 12, Tom!" Gibbs fumed and thumped the table in anger. It was a signature move of Jethro's when he was interrogating a suspect, and Tom hoped he didn't expect it to intimidate him or change his mind about the polygraph.

Probably not, more likely it was displaced anger, Tom assumed. Gibbs had to realise he was screwed.

Shrugging, he snidely proceeded to refute Jethro's claim. "Wouldn't be the first time you broke your own rules, Agent Gibbs. Let's see, there's: # 5 don't waste good, # 1 don't screw over your partner, # 15 always work as a team and # 11 when the job's done, walk away. So, forgive me if I'm not convinced by your precious rule # 12 never date a co-worker.

"I'll be frank with you, I don't really give a shit if it is against your imbecilic damn rules or not! It IS against NCIS rules for a supervisor to have a sexual relationship with a subordinate on their team – for a damned good reason."

He had more choice things to say to the agent who had long been a thorn in his side when it came to follow procedures and regulations before he made a call. He summoned two security guards to accompany Gibbs down to his desk in the bull pen and take custody of his badge and weapon before escorting him out of the building. He issued them with instructions to keep him out of NCIS premise for the next two weeks.

Tom watched Leroy Jethro Gibbs depart, posture erect as if he had a damned broomstick up his ass. Clearly, he was pissed off and trying to contain his temper – no easy feat since most of the time he got a free pass on having to keep it reined in, unlike other mere mortals.
Tom wished he could be as sure of picking the winning lotto numbers as he was that Gibbs first stop when he left would be to demand to see SecNav urgently. He would try to get his disciplinary action rescinded.

Good luck with that!

The director hoped that when he realised he wasn't going to overturn the demotion, that Gibbs used his suspension to think seriously about what Morrow had said and return to the job with an attitude adjustment. Tom liked to think he was a glass half full kinda guy but, in this case, he wasn't sanguine about Gibbs' changing his ways - it would be tantamount to him admitting he was wrong.

Tom was damned certain that he'd adopted rule # 6 not just because he loathed apologising but because he never thought he was wrong about anything.

And for someone who had been wrong about a shitload of stuff lately, especially as he'd overseen other agents - that was a terrifying thought. Maybe making him SFA wasn't such a great idea...maybe Tom should bust him down to junior agent!

~o0o~

Gibbs left NCIS intent on driving straight to see SecNav to get this farce of a situation dealt with asap. He couldn't believe that Tom thought he could get away with demoting him. The MCRT had one of the best closures of all the alphabet agencies and without him at the helm NCIS would quickly fall by the wayside.

Although a tiny thread of doubt made him wonder about what Morrow had said - that their closure rate decreased significantly. Yeah, the report had backed him up and had the god damned graph to back up the director's claims, Gibbs was sceptical to say the least.

What was it that they said about statistics? There were three kinds of lies: lies, damned lies, and statistics. Gibbs didn't trust statistics – he trusted his gut and his gut told him that Morrow was using this minor hiccup to seize back power. There was nothing wrong with his damned team!

In his effort to remain at the helm of his denial, Gibbs conveniently chose to disregard the fact that the director mentioned some very heavy hitters who were allegedly on Morrow's six. All who were apparently baying for his blood over Master Sergeant Rafael getting off.
Well he didn't like it either, but they had Corporal McClain and ATF Agent Melinda Stone bang to rights. Yeah but as Tom said, the lawyer would bring up the illegal confession and put all the blame on Rafael. But it wasn't his problem if the judge/jury were dumb enough to swallow that shit. He caught 'em – then it was up to the lawyers to put dirtbags away and if they weren't good enough - then it wasn't his lookout.

And really, who the hell did Tom think he could appoint to run the MCRT instead of Gibbs? Balboa was a nice guy - he was a reasonably competent agent but as an investigator he didn't have a lot of experience with major crimes. He'd never caught a serial killer or a multiple killer. Nor had he dealt with terrorists or hostages sieges. Likewise, Agent Lana Hayes who ran the Family Crimes Unit; Lana was nice enough but not up to running a major crimes team.

Obviously, none of the senior supervisory agents had the background to run MCRT so it made no sense to demote him. Which is why Jethro genuinely believed that Tom was grandstanding.

Oh, Gibbs got it... it must be tough to be the director and to be basically impotent where the MCRT was concerned. Which was why Jethro always chose to endure Tom's tirades about pettifogging stuff like procedural faux pas and interagency ruffled feathers over jurisdiction. Not to mention the usual nagging over him not playing nice with the cops or other alphabets at crime scenes. Personally, he always put all the petty complaints against him down to professional jealousy and possibly some resentment that he was able to cut through the bureaucratic BS to get exactly what he wanted.

But for Morrow, it had to be damned humiliating to know that Gibbs effectively ran rings around him in terms of where the real power was situated. He had to know that if Gibbs wanted his job then Morrow was gone... like yesterday! And so, to keep him happy he'd been willing to let Morrow have his childish little tantrums and throw his weight around.

Even though the director didn't have any true power. It was a Pyrrhic victory.

Fortunately for Tom, Gibbs had no intention of dealing with the endless paper work and the butt licking that Morrow had to do to, so his job was safe. In Gibbs not so humble opinion, the NCIS director was like the officers in the military. Their sole function was to look pretty in their shiny uniforms with their fancy medals while the real work was done by the NCOs and grunts.

So, when Tom got a bee in his bonnet about some damned idiot rule that he'd ignored and tried to fool himself that he had bigger balls than Jethro by delivering a dressing down, Jethro always bore it stoically. After all, they both knew it was a farce.

Like all officers, Morrow was pretty much a dickless wonder, plus if he had any balls they were
undescended. If he as well-endowed as he pretended, he'd have stayed in the field where the important work got done. Which was why Gibbs had no intention of ever letting them promote him out of the field.

That was the difference between guys like Tom Morrow and himself – Tom leapt at the chance to be a paper pushing, politician's ass licker. He deluded himself that he had the power – poor sap!

While Gibbs had no intention of occupying the big chair, Morrow had gone too far, this time. He intended to have a word with SecNav. Perhaps it was time to bring in some fresh meat – someone who wouldn't forget their place. Jethro had more important things on his agenda than dealing with this shit.

He still had to find that bastard who broke into Autopsy. Oh, they were closing in on him, he was sure of that. It was only a matter of time until Gibbs had a name, but that was just the prelude. Once they had a name then he would find him and explain why people shouldn't ever mess with Leroy Jethro Gibbs.

Arriving in record time at SecNav's office he demanded an immediately appointment to see him while his secretary tried to fob him off. Must be a newbie – she'd obviously yet to learn that no one fobbed off Special Agent Leroy Jethro Gibbs. Brushing past her, he barged into SecNav Davenport's office to find him on the phone.

He scowled at Jethro and pointed to a chair while he continued his telephone conversation. From the whipped puppy demeanour, Jethro decided he must be talking to the POTUS. When SecNav finally wrapped up the conversation, faithfully promising Barbara he'd pick up her dry-cleaning and some milk on the way home, Gibbs deduced that he was talking to his wife. Seems he wasn't the only one who had him by the short and curlies!

His grin at the Sec Nav's discomfort was the last one he executed that day...or indeed for many days afterwards.

Sec Nav had suddenly stopped having Gibbs' six! He'd always thought it was a good thing that he was so easy to intimidate but perhaps not.

He claimed that he was coping heat from his superiors and underlings like the Judge Advocate General (fucking lawyer) but whadda expect from a dumbass lawyer. Plus, the Commandant of the Marine Corps (a fucking four-star general, so again, whadda you expect) who was gunning for him. All because of a technicality that allowed a dirt bag Marine to get away with gunrunning and possibly murder, they wanted to make him the scapegoat.
Perhaps JAG should be looking in its own backyard before it tried to shift the blame onto him. The stupid fool judge let him go free – why weren't they after his ass?

What about Lieutenant Commander Rabb? He was defending Master Sergeant Rafael – therefore he was equally responsible for Rafael getting off – maybe even more. And really, that was the thanks Gibbs got for getting Rabb off a murder charge when he was framed for Lieutenant Singer's murder last year? Jethro wished he hadn't been so diligent if Rabb was going to let corrupt Marines get off scot-free with stealing weapons.

And let's not forget about the prosecutor – Lieutenant Colonel Mackenzie. A Marine no less. She must share a lot of the blame too. It was her job to put the dirt bag in Leavenworth and she'd failed to achieve her goal. Why wasn't she being disciplined for failing?

Okay, so Cate made a mistake. Yeah it was a big one...but that's the way you learnt in this game. She'd never make it again and it wasn't as if they didn't all know he was guilty. He'd confessed after all, so what did it matter if the confession was obtained without his Article 31's being read out. He was guilty, god damn it.

Even Corporal McClain had been willing to testify against him. She was never given the opportunity. But that wasn't his fault, he'd done his part.

Even so, they'd still made him the scapegoat – two weeks suspension and demoted down to senior field agent. Morrow had told him that it might be a temporary demotion if he showed that he could follow the chain-of-command and all of NCIS' regulations and procedures.

But Jethro really didn't know if he could follow the orders of someone like Ric Balboa. Plus, he preferred to be the one giving the orders, not following them. Jethro couldn't abide by being told what to do – never had! That was one reason why he liked being a Marine sniper, he spent a lot of time on his own.

Over the first night of his suspension Gibbs got rip snortingly drunk and he pretty much planned to stay that way. He threw himself a pity party since he was pissed off about being demoted and his bud, SecNav stabbing him in the back.

Taking a slug of bourbon Jethro contemplated if it was time to give some serious consideration to following his mentor, Mike Franks and head off down to Baja, Mexico. Mike had chucked it all in when the pencil dicks had ignored his advice over Bin Laden and he'd left in disgust over the

Although heading south of the border and hooking up with his mentor again, sounded damned good in theory, Jethro knew after a max of three months bumming around, he'd go stark raving mad with nothing to do. He didn't like not keeping busy. Busy was good...busy stopped him thinking about everything he'd lost...everyone he held dear.

Even if he stayed in DC, there was only so many boats Gibbs could build in his basement before he went bat shit crazy and shot someone...possibly Morrow or Sec Nav!

Chapter End Notes

Most people are aware of Miranda Rights but thought it might be useful to include the military version:

831 ART. 31. COMPULSORY SELF-INCrimINATION PROHIBITED
(a) No person subject to this chapter may compel any person to incriminate himself or to answer any questions the answer to which may tend to incriminate him.
(b) No person subject to this chapter may interrogate, or request any statement from an accused or a person suspected of an offense without first informing him of the nature of the accusation and advising him that he does not have to make any statement regarding the offense of which he is accused or suspected and that any statement made by him may be used as evidence against him in a trial by court-martial.
(c) No person subject to this chapter may compel any person to make a statement or produce evidence before any military tribunal if the statement or evidence in not material to the issue and may tend to degrade him.
(d) No statement obtained from any person in violation of this article, or through the use of coercion, unlawful influence, or unlawful inducement may be received in evidence against him in a trial by court-martial.
Split Decision: Pyrrhic Victory missing scene 1

Chapter Summary

Jimmy Palmer, eager to impress his new boss, goes to extraordinary lengths to do his job.

Chapter Notes

So, some general housekeeping before getting started. People are asking about when I'll be posting a sequel to the TATM Missing tag Nonpareil. The short answer is when I write it, I'll post it. The long answer is that the muse does what the muse wants and right now 'The Muse' is focused on writing a new story on Ned Dornaget while I'm trying to complete my WIPs and therefore is being a brat - pouting and sulking in her room. So I've been in a battle with my uncooperative muse trying to write an extra scene trying to tie this series of missing scenes together coherently. Not to mention struggling with three chapters of Rising to the Bait that aren't gelling like I need them to. That's on top of battling flu for three weeks which then turned into a severe bout of bronchitis which I've got to say is not conducive to good writing... or any writing really. Good news, I'm nearly recovered and finding it a bit easier to write. I even have story outlines for the next tag and the tag for episode 1 in season 2.

Also, after toing and froing about where to put these missing scenes, I've thrown up my hands and decided to post them here and not separate to Split Decision and the TATM tags. There will probably be four missing scenes – Prologue, Cate's interview with Morrow, the second investigation into Master Sergeant Rafael and finally, a look at the team when Cate comes back from FLETC.

I was also most amused to have the usual flames from the Anti-DiNozzo trolls who claim that Tony is incompetent and stupid. This is during an episode where Gibbs and Cate commit an egregious error – a rookie blunder that would let the perp walk on a technicality if we'd seen the court case in the show. It happened! It's cannon! Shocking? Yes absolutely! I honestly wouldn't have believed it if I hadn't watch the scene numerous times to make sure I didn't imagine it but unfortunately Cate interrogates a suspect without reading him his Article 31's BEFORE he confesses. Any half-ways competent lawyer would have petitioned the judge to have the confession thrown out as evidence and the case would be tossed out! And yet if you believe the trolls it's all Tony's fault because he was mean to McGee/Cate/Gibbs. This is a common technique called deflection - one that we are seeing more and more frequently in RL. So, after laughing uproariously, I decided I must be doing something right if trolls are flaming me at this point of the series.

Lastly, I want to thank people for reviews and feedback – while I had good intentions to respond to them, RL got in the way, but I appreciate your input all the same.

Okay... so here we go.
Dr Donald Mallard, Ducky to his friends - of which there were legion - was a man of infinite patience. Well usually.

He liked to think of himself as a student of the human condition and found aberrant types and outliers – individuals who lay outside the normal bell curve - to be quite fascinating. Therefore, he was quite surprised at how irritated he was feeling towards his newest offsider. The young man was painfully polite after all, even if he most certainly fell outside the normal distribution. To his credit, Palmer was as eager to please as a golden retriever puppy and super keen to learn all about the agency and his job.

So why the blazes did Donald long to give his replacement for the restrained and ever dependable Gerald Jackson, a bloody good smack across the muzzle with a rolled-up newspaper? It sounded dreadfully intolerant and Ducky had always prided himself on his forbearance, though he was finding Jimmy Palmer quite the challenge. Probably because of that blasted voice activated tape recorder he insisted upon using at every bloody opportunity. It was driving him up the wall.

First it was the autopsy of that poor unfortunate lad, Marine Staff Sergeant Thomas Grimm, who’d been killed by an anti-tank dual purpose missile. The young and foolish Mr Palmer had persisted in repeating word for word Ducky’s statements during his visual examination of the corpse. That was before in exasperation, he’d suggested to his new assistant that James simply leave the bloody thing running. That way he could record Ducky’s comments directly.

Later that day, Mr Palmer had been using the voice activated recorder to take verbal notes on how to do various aspects of his job as Ducky’s autopsy assistant including stocktaking, cleaning the van and the pipettes. And Ducky had no quarrel with that; he thought it showed initiative.

The young ones today had their own way of doing things and were enamoured by the latest technology. Why, Gerald had a habit of listening to his NBL games while he worked and if it didn’t affect the performance of his job, Ducky took the attitude that there were different strokes for different folks. He was also perfectly aware that the young ones viewed him as a bit of an old fuddy-duddy, what with his prattling on about the plethora of things he encountered in his globe-trotting salad days. Their techie gadgets were a way of tuning out his constant nattering.
But Ducky drew the line at his newest associate (and potentially soon – to – be – ex - assistant if he didn’t cease and desist) deciding it was a good idea to observe him and give a running commentary about his penchants, eccentricities, and old fogey habits. It rather reminded the medical examiner of a bloody annoying ethologist studying animal behaviour al a Sir David Attenborough. Ducky finally decided enough was enough of James Palmer’s exasperating behaviour.

Any patience for his assistant’s eccentricities went out the door when the young pre-med student stopped taking notes that were job related and started making notes about the way he brewed his pot of Darjeeling.

[Dr Mallard drinks his tea from a fine bone-china cup and saucer. He consumes two chocolate digestive cookies for morning tea and two Scottish shortbread cookies for afternoon tea on a bread and butter plate and a paper serviette, folded into a triangle. He makes a pot of tea – not a teabag - and places one and a half level teaspoons in a pre- warmed teapot, then rotates the teapot counter clockwise three times. Next, he carefully pours the tea into his cup before adding a splash of milk and one lump of sugar, stirring it briskly six times. The doctor gently taps the spoon on the inside of the cup thrice to prevent dripping tea into the saucer or surrounds. Dr Mallard is not a dunker. Oh, and coming from the UK he calls cookies biscuits.]

Ducky sighed, counting to ten before he spoke to Jimmy, albeit a little more sharply that he normally would, he freely admitted. “Mr Palmer! Will you stop following me around with that bloody aggravating recorder. I feel like an insect under a microscope. Please make yourself useful. Take this autopsy report up to Agent Balboa’s team, STATUM.”

Jimmy nodded penitently, blushing bright red. “I’m sorry if I annoyed you, Dr Mallard. It really wasn’t my intention. I’m just trying to learn to do my job as best as I can, as quickly as possible.”

Looking at Jimmy’s crestfallen expression, Ducky felt like an utter cad. Handing him the report, he sent him on his way, with an apology – something that Gibbs would disapprove of with his ludicrous rule 6.

“Mr Palmer, you’ll have to forgive me if I seem a little out of sorts. I haven’t been sleeping properly recently.”

It wasn’t exactly a lie. His mother had taken to getting up in the middle of the night to watch that blasted TV quiz show Jeopardy. Not that he had anything against the show per say, but Victoria Mallard had watched the same episode repeatedly and because she claimed to be hard of hearing, insisted the volume must be blaring so she could hear it. At times he longed to take an axe to the bloody idiot-box, but it was one of the few pleasures left to his mother who tragically was
succumbing to the cruel ravishes of dementia.

Feeling guilty for biting the lad’s head off and feeling that they could probably both benefit from some solitude, Ducky suggested mildly, “Why don’t you take your luncheon break a few minutes early.”

Nodding eagerly, the tall thin bespectacled young man smiled understandingly. As he left Autopsy, Ducky heard the recorder click on as he made another note on that infernal device.

[Note to self: Dr Mallard appears to be testy prior to lunch. Perhaps he needs a nana nap in his break since he self-reports to suffering from insomnia.]

Ducky decided he would pray for patience, since the youngster obviously had good intentions, even if he was extremely exasperating. The next time Mr Palmer’s sainted mother rang he would make it his business to have a few words with her. Find out how she managed to keep the vexingly eager young beaver under her thumb – he had a feeling he would need some tips in the coming days.

~o0o~

The NCIS director had been on his way back to his office from the forensic lab when he decided to take a detour back via the bullpen. He wanted to have a word with Evan Williams about his team’s request to swap weekend duties with the MCRT due to Evan’s wife’s unexpected surgery. She was scheduled to be operated on Friday morning.

Morrow was peripherally aware that Balboa’s team were clustered around their plasma screen conducting a team conference on their assault case. Even though it was years since he’d done field work, he still had excellent situational awareness and he noted almost automatically that Ducky’s new autopsy assistant was hovering, waiting with a report in his hands. He sort of reminded Morrow of the excitable chocolate Labrador puppy they’d gotten for the kids when they were youngsters – he was always eager for the most meagre scrap of attention and his tail become a lethal weapon when he did.

Smiling indulgently, Tom remembered Barney and the chewed-up shoes he destroyed, plus the endless holes he dug in the garden. He’d taken a damned long time to settle down and stop destroying stuff even though the devastation was never malicious, merely high spirits. It was a good five years if he remembered rightly - and the director wondered wryly how long Ducky would take to break in his newest assistant. Hopefully he would have him housebroken much sooner than
Turning back to the matter at hand he noted Agent Williams sitting at his desk, staring at his computer screen, his SFA, Susan Peterson sitting opposite him. She was diligently working her way through a bunch of financial statements. Tom made his way across the room to their bull pen and cleared his throat. The team lead and his second in charge rose and made their way out into the middle of their area to speak to him.

Deciding not to beat around the bush, he stated, “I talked to HR and Gibbs about swapping your weekend duty with the MCRT. Unfortunately, Gibbs has a previous commitment – Marine Reservist training. But there is another option, because obviously you need to be with your wife.”

Reese nodded. “Yeah, I really do. I hate to be a bother though, Director.”

“You’re not a bother, family always comes first.” Morrow said firmly. “Sally needs you to be there for her, Reese – end of story. Obviously, the simple solution is to just replace you and have the rest of the team turn up for work as per usual. I’ve talked to DiNozzo about standing in for you. He’s stood in for Gibbs on the MCRT on numerous occasions and I’m comfortable with his acting as team leader for this weekend. “

As well as pragmatic factors, Tom also felt that it would be beneficial for DiNozzo who needed the boost to his confidence, because the MCRT as it stood currently, didn’t follow the chain of command and was making him insecure about his abilities, not to mention his future. Tom knew chain of command wouldn’t be an issue on Reese’s team, plus he wanted to assess DiNozzo’s leadership. Clearly with the issues of gross insubordination and failure to observe the chain of command, it wasn’t practical to do so while he was on the major case response team because Gibbs wouldn’t let him lead. Having him fill in for Reese Williams was opportune.

Obviously, those additional reasons weren’t something he was able to share with Agent Williams. Not while his 2IC was standing right there - it would be a totally inappropriate conversation to have in the bullpen.

Speaking of which, Tom glanced across at Peterson to judge how she handled the news that he was putting DiNozzo in charge of the team when they were nominally the same rank.

He decided to reassure her of her place on the team in case she was feeling threatened. “I know you’re both of the same rank, Agent Peterson - and it is in no way is a reflection on how you perform your job. It is just that DiNozzo has had more experience. He’s been a senior field agent longer than you and he has more experience – he’s also worked in Vice and Homicide, along with several other
police departments. And working for three years on the MCRT – it gets all the complex cases – so if something major should break, he’s had the extra training to deal with it.”

Susan smiled. “It fine, I understand. I don’t have all that much experience with murders or terrorism. I’m sure I can learn a lot from him. His management skills, frankly are incomparable to anyone in DC.”

Morrow looked askance at the SFA and she smiled with a touch of nervousness. “Tony ‘manages’ his senior supervisory agent with remarkable skill and tact.” Susan confessed coyly as she watched her two superiors. “It’s awesome to watch... as long as you’re out of the firing line.”

Reese chuckled at her revelation. “The other SFAs have nicknamed DiNozzo the Gibbs Whisperer,” he told Tom.

Morrow steeled himself not to burst out laughing. It was true that Tony ‘managed’ Gibbs with an adroitness which did suggest that he possessed amazingly good management skills - even though Jethro was supposed to be his superior. And thank god that he did -Tom reflected ruefully or every team aside from the MCRT would probably have requested a transfer out of the DC office. Especially after the terrorist siege earlier this year made the ex-Marine even more difficult to be around in the bullpen.

Nodding at Agent Peterson, he observed. “I take your point and congratulations for being able to look beyond DiNozzo’s class clown persona, Susan and see his multiple layers. That’s no mean feat and speaks well for your investigative skills.”

For some reason, DiNozzo preferred people to see him as being nothing more than a shallow skirt chaser. Tom wasn’t sure why because he was an excellent agent.

Every so often the director would see a knowing look from one of the more astute agents, as if they had figured him out too and realised he was conning them. But most of his colleagues were too blind to see what was right under their own nose and frankly, Tom wondered how they ever managed to solve cases.

The director had often speculated that when Tony’s wedding plans fell through at the eleventh hour, he’d decided to build a wall to keep the whole world out. For as much as Leroy Jethro Gibbs didn’t trust his left hand to know what his right hand was up to (let alone anyone else to know his business) DiNozzo could give him a real run for his money. He had trust issues up the wazoo.
No wonder he was the perfect undercover operative, Morrow thought wryly, since he was always playing multiple roles to stop people seeing who the real Tony was.

One role he totally immersed himself in at the office was that of a superficial hedonistic womaniser. His colleagues listened to DiNozzo’s bawdy stories about his dating adventures, ultimately painting himself in rather an unflattering light and said colleagues swallowed his act (as a dumb jock and a skirt chaser) hook line and sinker.

Given what he knew of DiNozzo’s hours working with Gibbs, it wouldn’t be humanly possible for Tony (for anyone) to date even a fraction of the women he claimed to date. Unless he didn’t ever sleep and even then, it was still a physical impossible given what Tom knew about the study load he was also carrying.

Which brought him to a lesser known role than class clown or skirt chaser was his Type A student persona. DiNozzo was someone who thrived on mental stimulation, becoming easily bored when his brain didn’t have enough stimulation to keep it busy. Since moving to DC he’d thrown himself into completing additional courses at Georgetown University, despite having a Master’s degree in Law Enforcement and Public Safety which fulfilled his educational requirements for a supervisory position on the MCRT. Tom had concluded he was using the extra post grad studies to avoid dealing with the hurt and rejection he’d experienced when his fiancé (the craven, heartless little bitch) broke him by leaving him at the altar.

Recognising that the enigma who was Very Special Agent DiNozzo was one that would take much longer to unravel than he had right now, supposing the mystery was solvable which he wasn’t convinced about, the director gave a mental shrug. The phone on Williams’ desk began ringing shrilling and he decided this was his cue to head on back to his office and deal with the never-ending paper work. Morrow gestured that their impromptu meeting had concluded, so the team lead should answer the phone.

“We’re done agents and Reese, please extend my best wishes for a speedy recovery to your wife,” before the director made his way over to the stairs, intent upon returning to his office.

Tom automatically scanned the bull pen, noting for once, the young field agent from Norfolk Naval Air Station, Timothy McGee wasn’t in the MCRT workspace. Was that because Gibbs team wasn’t there either? McGee was supposed to be working on a special project on Gibbs computer to identify the terrorist who broke into Autopsy and escaped right under Jethro’s outraged nose.

The base commandant at Norfolk was becoming increasing belligerent about Jethro’s high-handed appropriating of McGee to work as an extra gopher on MCRT cases. In addition (as with the project today) he also using him as his personal cyber guy to track down the Middle Eastern terrorist who’d outwitted Gibbs this year. The commandant was demanding a fulltime agent be assigned to his base and Tom wasn’t going to be able to put him off much longer. Besides, he happened to agree with
The question was what to do. The simplest thing would be to permanently reassign McGee to the MCRT seeing he spent so much time working there anyway and find a new agent to deploy to the Norfolk office. But doing the simplest thing wasn’t always the best option. The MCRT already had one rookie on the team and hadn’t that worked out well.

If Morrow was being completely honest with himself he’d have to say that Caitlin Todd was proving to be nothing short of a disaster. Arrogant, unwilling to learn, she didn’t respect the chain-of-command; her attitude seemed to be that since she’d been a secret service agent, she was by...perhaps by osmosis, able to excel as an investigator. And he wasn’t going to even think about her so-called skills in profiling. Tom truly believed that his old granny could profile better than Caitlin Todd and Granny Goodall had been dead for more than twenty years. Hell, his Labrador Barney would probably have done a better job!

So, putting a highly impressionable rookie such as Timothy McGee onto Gibbs’ team where Jethro and Todd had zero respect for the chain-of-command didn’t seem like a particularly smart thing to do. For starters, it would feed into McGee’s already rather substantial superiority complex, noted by various team leaders in the bull pen since he’d become Gibbs' go-to-cyber-gopher, and call him crazy but that seemed like a really bad idea. Plus, Morrow was under no illusion that Gibbs would demand that the rookie hack into databases for the most mundane cases, just because McGee could do it and because Gibbs was apparently incapable of delayed gratification, unlike a normal adult.

The result - McGee would likely end up with a sense of entitlement the size of Texas, believing that he was above the law. Yeah...nope that wasn’t gonna happen.

Tom felt it would be wiser to assign him to a team that would not only blood him in the field but not allow him to become overconfident and cocky. Handled properly, he had the potential to develop into a competent field agent, but his arrogance must be nipped in the bud, so he could learn what it entailed to be a good field agent. Arrogance was dangerous. Arrogance plus inexperience in an agent was even more deadly; it could very easily get civilians and colleagues killed.

With Gibbs as his mentor/ team leader Morrow was fairly certain that the young rookie would soon learn is that he didn’t have to listen to any agent, even one of a superior rank, bar Gibbs of course because as far as Jethro was concerned, his word and rules were law. He resolved to look at teams which could take McGee and shape him into a competent field agent and look for a replacement for Norfolk as soon as he had time.

As he made his way across the mezzanine walkway, passing the door to Major Threat Assessment Centre, he glanced down below into the bull pen one final time. Morrow wasn’t sure if it was just habit – he was the director of the agency and he like to stay abreast of everything- or if it was because a sixth-sense alerted him to an anomaly. Whatever it was, he noted that despite having
handed over the report earlier, which Tom assumed was an autopsy report, Ducky’s young offsider was skulking around listening in to Balboa’s team discussion.

Discreetly, he wandered back down the stairs, noting that the young man, practically still a kid, had something clutched in his hand. As he approached, Tom weighed his options when he realised that what Palmer had was a voice activated recording device and appeared to be recording Balboa’s team conference. While he immediately wondered why he would be spying on Ric’s team, he mentally cautioned himself against leaping to conclusions and making a scene.

Tapping the miscreant on the shoulder and gesturing him with his curled forefinger to follow behind him, Morrow made for the break room. Jimmy had turned a pale shade of green, rightly guessing that he was in deep trouble as he followed the NCIS director.

The director cocked an eyebrow, pointing at the voice activated recorder. “Care to explain what you were doing spying on federal agents and recording confidential NCIS information related to investigations, Mr Palmer?”

“Um...ah... spying? I wasn’t spying, Director. I was trying to learn about my job.”

“Your job is down in Autopsy and Dr Mallard is a brilliant medical examiner, he can teach you all you need to know. I fail to see how illegally tapping Agent Balboa’s confidential team briefing is going to assist you to learn about your job. You aren’t an investigator.” Tom said firmly.

Jimmy looked as if he might be sick. “Illegal? I’m s...s...sorry. I didn’t know. I never meant to break the law, Sir. I just wa...wanted to learn about how the investigative side fitted in with the forensic science,” he vowed. “I was trying to impress Dr Mallard, Director. I swear.”

Morrow sighed. As ridiculous as it sounded, his story seemed genuine. Most times when people were trying to lie or deceive, they supplied you with elaborate accounts and forgot to keep it simple – they ended up tripping themselves up trying to be too clever.

Nevertheless, Tom wasn’t a fool – he was the director of a federal agency and you didn’t get to sit in the big chair without knowing how to investigate. He couldn’t afford to give someone he didn’t know the benefit of the doubt just because he looked like butter wouldn’t melt in his mouth.

He extended his hand, palm upward. “Be that as it may be, Palmer, I will need you to hand over your recorder. I’m afraid that this incident requires further investigation. Plus, I need to ensure that the confidential material on your device is deleted.”
Gulping audibly several times, the curly haired newbie handed over the voice activated device with such alacrity that Tom momentarily wondered if it was a grenade. Pocketing the offending object, he gestured that Palmer was dismissed and he watched the tall thin young man trip all over his own feet in his haste to get away from the director of NCIS.

Shaking his head in wry amusement since he hadn’t considered his ‘interview’ to have been particularly threatening or traumatic, Tom retraced his steps across the bull pen. Climbing back up the stairs to the mezzanine walkway towards his office, he noted automatically that Balboa’s team had departed, Erica Davis’ team had returned, and Gibbs was sitting at his desk, talking on his phone, his expression thunderous – so situation normal for Jethro.

Smiling at his long suffering executive assistant, he entered his office and closed the door and parking his butt at his desk, he lay down the impounded voice recorder. Considering turning it over to Dr Sciuto to check out what was on it, he looked at the mountain of paperwork awaiting his attention. That would be the most practical course of action, but he decided that expediency wasn’t always the right way for him to proceed. What he really needed was to exercise caution until he established what was on the recorder before giving to his forensic scientist – there could be classified information on it.

Oh, it was unlikely. The bespectacled young James Palmer as a bumbling spy was almost laughable - except that Morrow was a most suspicious person. And a geeky awkward youth tripping over his own feet with his enthusiasm was also a damned good cover – who would even suspect it? Tom doubted it would have entered his head if he hadn’t caught Palmer sneaking around acting devious.

Pressing play he sat back in his chair, steepled his fingers, resting his thumbs under his chin and his nose on his pointers as he listened intently to the contents of the micro tape. It started out with an autopsy - Master Sergeant Grimm’s if he wasn’t mistaken – the case that the MCCRT had been working on. Ducky sounded slightly agitated – an unusual state of affairs. Donald Mallard was usually unflappable. As the tape continued, had anyone else been present, they would have seen the director’s eyebrows rise in surprise, anger, and disgust at various points in time.

The commentary of Ducky’s morning and afternoon tea breaks were quite amusing, and he wondered idly what Palmer would make of Gibbs' coffee habit. Finally, he reached the point where Palmer had paused in the middle of Agent Balboa’s team sit rep because he’d apprehended the snooper. He shut off the recorder, struggling to contain himself.

Extracting the micro-cassette, he stood up and walked out to the outer office and handed it to Cynthia Sommers, his personal assistant. “I need you to transcribe this tape for me, please.” He requested; the admonishment to not discuss the contents of the tape with anyone else went unspoken.
It wasn’t necessary. He knew that Cynthia was a professional through and through and she was also ultra-discreet.

He’d really lucked out when she deigned to accept his entreaties to take the job.
Split Decision: Pyrrhic Victory missing scene 2

Chapter Summary

Cate is forced to defend her actions and discovers that she must take responsibility for them.

Chapter Notes

A/N: First off, before reading the next missing scene, you might want to go back and read the first part of Pyrrhic Victory to place the next scene into context. It picks up directly after Cate gets chucked out of the director’s office when she is insubordinate after he orders her back to FLETC.

Thanks to everyone for their comments and concern for my lungs. I really appreciate it.

Warnings: Just wanted to warn people that there is nothing light or amusing about this next scene. In fact, there is content in this scene including: homophobic attitudes, discussion of religious beliefs and opinions expressed regarding gender roles and identity which may upset people - they upset me while I was writing them. If you're a Cate Todd fan then fair warning, this is an epic smack down scene. Don't read it. For people like me who think an epic smack down is long overdue... proceed.

Missing Scene 2
Episode: Split Decision (Pyrrhic Victory)
Characters: Catlin Todd, Tom Morrow, Cynthia Somers, Michelle Lee, Cassie Yates, Delores Bromstead.

Cate had watched on as Gibbs exited the director’s office. They’d been called in to explain why Master Sergeant Rafael had the charges against him dropped because of a stupid technicality. Unfortunately, she’d read him his Article 31 Rights after he’d confessed to the crime of stealing decommissioned weapons from the Marine Corps to sell on the black market.

Director Morrow had hit the roof and made her the scapegoat, ordering her to go back to FLETC which was outrageous, not to mention humiliating and disrespectful. Cate may have reacted recklessly, lashing out at the director in anger which had resulted in her being sent out of the interview due to her insubordination. She was willing to admit that it hadn’t been smart to anger the head of a federal agency and her ultimate boss but when she was coping the blame because of her gender, it wasn’t unreasonable for her to get angry.
She reckoned that she’d probably be getting called in again soon and knew she had to play her cards with care. She couldn’t afford to get angry or make Morrow mad. The idea of IA investigating her failure to advise Master Sergeant Rafael of his Article 31 rights was terrifying and it was the last thing she needed.

Internal Affairs were ruthless and if they got their hooks into you, it didn’t matter that you were innocent. They would twist things around to make sure you looked guilty. Best to avoid being placed on their radar altogether.

So, with that in mind, she was preparing herself to act like a good submissive little female agent because if she left the job with this incident hanging over her head, she would burn her bridges in law enforcement for good. The only chance she had was to suck it up, keep her head down and accept the disciplinary repercussions of Rafael’s charges getting thrown. Eventually, time would pass and someone else would blunder (probably Tony) and memories of this unfortunate situation would fade.

Psyching herself up to kiss up to an entitled patriarchal fool, she was surprised to see the Deputy Head of HR, Delores Bromstead stroll into the director’s outer office and flash her a curious glance. Cynthia smiled sweetly at the newcomer, telling her, ‘Go on through, Delores. Director Morrow is ready for you now.”

Cate felt a mixture of relief and disappointment. She would rather get this distasteful grovelling act over and done with but clearly Morrow had a prior meeting.

A few minutes later, a stunningly beautiful tall, slender African American female also made her way into the outer office and exchanged greetings with the director’s executive assistant. Clearly these two women were friends, Cate decided based on their non-verbal cues and laughter. Soon the newcomer was informed that she could proceed into the inner sanctum. Cate wondered just how long their meeting would take and therefore how long she would have to wait before Morrow would see her.

At some level she understood that keeping her waiting was supposed to put her on the defensive and send a message that he was top dog and she was a lowly agent who’d peed on the prized Persian rug. And even though Cate understood that tactic for what it was (a cheap attempt to control her) she still had to admit that it was a very effective strategy. She was anxious and ready to say uncle... well at least for now. But as someone who was damned skilful when it came to hand to hand combat, she’d learned a few tricks when it came to being attacked. One of the most crucial being that when you were fighting for your survival, you didn’t hesitate to play dirty.

For example, tapping out when you grappled with someone who was bigger or better than you were, was one effective way you could give yourself an opportunity. Once their guard was down you could go in for the kill, attacking their soft underbelly. A finger to the eyes, a flat palm delivered upward to the nose, two palms simultaneously slapped over their ears to pop their eardrums, and if they were male, an oldie but a goodie - a knee to their groin was all it took to render them down for the count. Cate figured she could metaphorically apply the same principle to dealing with Thomas Morrow.

Cate grinned, she frequently used the tactic when dealing with dumb-as-a-rock DiNozzo, and he fell for it every time. So desperate for a measly word of praise, the precious baby left himself open to her attacking his soft underbelly every darned time. Talk about no challenge – he made it way too easy!

She smirked, remembering the conversation she’d had when he tried so hard to impress her with his knowledge of the S.M.A.Ws (shoulder launched multi-purpose assault weapons) when he stated that they fired two types of warheads. She’d asked what the difference was, fully expecting him to end
up red-faced because he didn’t know but he’d surprised her as he proceeded to explain to her the
difference.

“HEDP or High Explosive Dual Purpose and HEAA or "High-explosive anti-armour. The DPs
leaves a crater while AAs leave a hole.”

Cate had been so taken aback by his answer that she’d made a flippant remark about him doing more
than reading comic books while he was in the toilet. He’d looked so damned happy that she’d
acknowledged his superior technical know how how that she’d HAD to deliver a sucker punch – she
couldn’t help herself. Partly because he needed to be reminded she was superior to him in every way
and partly because she could. Cate suspected that she was addicted to the rush.

Putting down an arrogant male always made her hot and horny – it was almost better than sex. Dang
who was she kidding? It was way better than most of her sexual encounters with former limp dick-
lovers and she used the term advisedly. And when it came to DiNozzo it was his own damned fault -
he made it all too easy to deliver a smack-down.

When she told him it was impressive, (the implication being she was talking about his answer) he
beamed from ear to ear. That was not good - so she’d delivered a metaphoric kick to his groin –
BAM... did she burst his bubble but good. Left him rolling around on the ground in agony, clutching
his privates – metaphorically speaking.

Okay, it sounded just a tad harsh when she replayed it in her head but heck she’d seen Gibbs deliver
a similar coup de grace time and again. Like the time he’d told Tony he was irreplaceable (and had
DiNozzo beaming from ear to ear) then casually strolled into the bull pen and yelled, loud enough to
be heard by everyone present that McGee couldn’t have Tony’s desk because he was still alive.

Now that was harsh!

But so damned funny!

So, she was just following Gibbs’ awesome example. Tony was thrilled to bits he’d managed to
impress her that when he thanked her for her ‘impressive’ compliment. Just like Gibbs. His face
when she’d struck so swiftly and brutally, taking enormous joy in telling him she’s been commenting
about the massive size of the crater left by the S.M.A.W. That sure wiped the smile off his pretty
face!

As for her current problems with Morrow, the profiler decided she would have to bide her time; put
her head down and stay off his radar, but she was determined to have the last laugh. Maybe she
should start documenting all the incidents of gender discrimination she encountered, although she
would need to wait for a while to report it to HR, otherwise people might accuse her of a tit-for-tat
retaliation over her grossly unfair disciplinary actions.

Cate frowned and clenched her fists in fury. She might even include her unjustified disciplinary
attendance at FLETC in her complaint. Although that might be dangerous – it could even stir up the
whole matter once more when she was trying to make it go away.

She was feeling way more cheerful at the thought of the sucker punch she would deliver to Director
Morrow (in the fullness of time of course) as payback for this humiliation. Call it striking a blow for
female agents everywhere, Cate decided, as a third female strode into the director’s outer office. She
too was slender, but only about 5 feet 2, Eurasian with glossy long black hair. As she was given the
go ahead to enter the director’s office, she flicked a curious glance at Cate and she saw that this
woman was still very young.
Cate immediately felt protective toward her. She hoped this woman, who was little more than a girl, wasn’t in trouble. After all Delores Bromstead was renowned for being a dried up old troll. She was also a stickler for red tape and woe-be-tide anyone who filled out the wrong form or forgot to cross their T’s. She hoped that they weren’t going to bully her or worse, fire her.

Perhaps she was there to make a complaint against the toxic culture of sexual harassment that was allowed to foment in this male dominated old boys club of a workplace.

Wishing she could storm the bastion of the director’s ‘kingdom’ and offer the young woman her support, Cate felt very strongly that she shouldn’t be alone with Morrow - a misogynist, nor that harridan, Delores. She really should have had someone in there with her, someone with a legal background to support her. Someone like Cate who’d started out studying law before she decided it wasn’t for her and switched to psychology, ending up being recruited by the Secret Service.

That was something that her big sis, Rachel had never managed to do, despite her talent!

Preparing herself to wait even longer before she had to get her repulsive act of contrition out of the way, Cate was surprised when Cynthia called out to her that the Director was ready for her now. Standing up and smoothing down her clothes which had become wrinkled and fixing her hair, she stole a quick glance at Sommers, trying to find out what was going on. Finding the normally friendly executive assistant staring at her rather coolly, Cate felt a sudden sense of trepidation as she made her way into the director’s office where she was directed by him to take a seat.

Of course, Morrow was sitting at the head of the conference table – such an obvious ploy, she concluded cynically. Typical male! I have a teeny little penis, so I’ll drive big cars and carry a gun and to prove to people I’ve got big testicles.

Delores was sitting to his right and the statuesque and the stylishly poised African American female was sitting beside her. The young Eurasian young woman, who up close looked even more like a college freshman, sat on the left-hand side of Morrow and Cate slipped into the seat beside her.

As soon as her butt hit the office chair she took a big breath and ploughed in, deciding to get it over with as quickly as possible. Just rip the Band-Aid off as quick as possible, Cate. No sense prolonging the agony!

“Director Morrow, I wanted to apologise for my previous ill-advised behaviour. After thinking about it at length I agree that I need to go back to FLETC and take all the relevant classes pertaining to investigation and criminal law which you deem necessary.” She managed to get out her rehearsed (if totally insincere) mea culpa without choking on it.

She’d arranged her features into what she hoped was a suitably contrite expression. All the while an imaginary Gibbs was screaming inside her head, ‘Rule 6 - never apologise it’s a sign of weakness.’

But the thing was that in this instance Cate wanted to be seen as weak and submissive, she mentally informed the furious Gibbs currently in residence inside her head. Better to be thought weak and remorseful than have to withstand an IA investigation. That wouldn’t end well!

She looked at Morrow, hoping to see him relax his suspicions and be lulled into a false sense of security but he looked... well sceptical.

“I’m glad you’re now ready to acknowledge that you need relevant training at FLETC in order to be effective as an investigator, Probationary Agent Todd. However, that is not what I wanted to discuss with you right now.” He glanced casually around the table before continuing.
“After this meeting concludes, I’ll meet with you privately, unless you specifically need to have someone present.” Pausing, he seemed to reconsider. “Hmmm... on second thoughts, Delores, perhaps you would be willing to sit in on the meeting and make sure that Probationary Agent Todd is not being coerced or taken advantage of.”

Delores nodded impassively. “Of course, Director Morrow. It would be my pleasure.

The director smiled at the old troll “I appreciate that. Well perhaps you should take it from here?” he suggested looking at HR administrator and each of those present before speaking again. “Oh, I should introduce you all, shouldn’t I? My apologies!”

“Okay... so sitting on my right is Delores Bromstead, who is the deputy head of Human Resources, while sitting next to her is Special Agent Cassie Yates. On my left is our Harvard educated wunderkind, Ms Michelle Lee from Legal and sitting beside her is our newest recruit to the MCRT and former Secret Service agent, Caitlin Todd.”

Leaning back in his chair he smiled and indicated to Delores to take over. She smiled briefly, looking at everyone before starting without preamble.

“It’s come to the attention of the director and HR that some very serious breaches of behaviour have been occurring in the workplace which we’ve only recently been made aware of. This has made us wonder what other things that may be occurring that management is ignorant about. So, we’ve asked you all here to get your thoughts on the matter. Determine if we’re looking at a small but serious problem or if the situation is more widespread than that.”

Looking down at her notes momentarily, Delores looked across at Michelle Lee. “As part of our legal team, what are your thoughts about a supervisor assaulting an employee, Michelle?”

Michelle frowned and offered her opinion firmly. “I feel that it is unacceptable behaviour. NCIS is a federal agency and the Department of Defence is clear on this issue – that it is not acceptable for any employee to be assaulted whilst on the job. If it was a perpetrator who assaulted an NCIS employee, not a supervisor, we would call in the FBI and have them charged with assaulting a federal agent. It should be the same procedure with a supervisor – no one is above the law.”

Delores nodded, “Thank- you Michelle. Cassie, what are your thoughts?”

Cassie smiled at Michelle. “What Michelle said. Since we are sworn to uphold the rule of law and have taken an oath to that effect, in my opinion, when a supervisor assaults a subordinate employee, then it is actually an even more serious situation.”

Yates leaned forward in her seat and stated implacably, “When you work for a federal law enforcement agency, not only should you not get cut any slack for breaking the law, I think we need to hold ourselves to a higher standard of behaviour. I absolutely agree that the matter needs to be referred to the FBI.”

Delores nodded again. “Good point, Cassie.” She looked over at the director who was also indicating his agreement with the special agent’s thoughts.

Making eye contact with Cate, Bromstead said, “You seem to agree with you colleagues, Cate?”

Cate nodded emphatically. “Absolutely. There is no excuse, it is abhorrent!

“But what if the subordinate was asking for it? Say they were dressing inappropriately or maybe speaking inappropriately?” Delores pressed.
Michelle spoke up. “It makes no difference – it is still an assault. It is unacceptable.”

Cassie nodded. “Michelle is right – besides, there are processes in place to deal with an employee who behaves inappropriately.”

Cate interspersed, “Men are always blaming women – saying they’re asking for it by dressing like sluts,” she said angrily, “And there IS such a thing as free speech. There is simply no excuse for assault.”

Delores looked contemplative. “Okay...so what if the victim of the assault complained to another employee, one who’d observed the assault and their colleague told them that the assault was fair. Do you think that is an acceptable response?”

Michelle shook her head quite vehemently. “Absolutely unacceptable. If you condone a crime, in the eyes of the law you’re considered an accessory after the fact to the crime. Apart from the legal aspects, it is abhorrent and well, I hate to sound like a Pollyanna, but I think it’s morally wrong too.”

Cate and Cassie voiced their agreement.

“And what do you think should be done?”

Cate jumped in. “Charged as an accessory or at the very least, they should have to undertake extensive mandatory sensitivity training and counselling. We deal with victims of crime all the time – what if they made those insensitive remarks to a victim?”

Delores replied rather tartly, “Well they did.”

Cate blushed. “I mean someone who wasn’t an employee.”

“So, you ladies can’t see any scenarios where such a response might be justified? What if they didn’t like the victim, say they thought they were annoying?” Delores clarified her query.

The three women responded immediately, all agreeing categorically that it was immaterial – an assault was an assault. There was no excuse.

“What about the victim; shouldn’t they report it? Aren’t they equally guilty of being an accessory after the fact if they know a crime has occurred and they fail to report it?”

Cate was incensed. “Oh, that’s right. Blame the victim! ‘She dressed inappropriately, she said things that were inappropriate.’ And who is the arbitrator of what is appropriate - the supervisor who assaulted her? I don’t think so.” She declared, her face ruddy with outrage. “He’s already proved that he isn’t able to exercise self-control by attacking the female employee.”

Cassie piped up. “Yep, Cate’s right. We don’t charge victims when they won’t press charges. We acknowledge that they have been assaulted and they might not be thinking clearly. They are definitely not accessories to the crime.”

“There’s lots of reasons why a woman might not report a crime or not want to press charges. They might be traumatised or fear for their life. It might be a friend or a relative who was assaulting them and so they’re reluctant to cause trouble within their family.” Cassie observed authoritatively.

“And in a case like this one where it’s a supervisor who has assaulted them, they may well fear that they’ll lose their job if they speak up and report the supervisor. They might be afraid that others will think they are weak and can’t hack it – especially if they’re field agents who rely on others to watch their back. And that can be a real concern under some circumstances.”
Everyone including the director nodded in tacit agreement with Cassie’s sage observations.

“Victims are often struggling with poor self-esteem and they may even think that they deserve to be assaulted – similarly to how victims of domestic violence or child abuse react.” Michelle said unequivocally, and Cate wondered why she’d worried that Michelle needed protecting – she was awesome.

Delores considered their points of view and then asked another question. “Okay, so we shouldn’t blame the victim for not reporting it. It’s interesting to note that you’ve all assumed that the victim was female, and the supervisor was male.”

Delores looked around the table at the other women. “What if the supervisor was a female and the victim was male and he was assaulted or what if the supervisor and the victim were both female? Alternately, what if the supervisor and the victim were both males? Do you think that these scenarios should make a difference to how the situation is handled?”

Michelle was quick to jump in and express her views. “Gender has nothing to do with this. The supervisor has committed an assault, and, in the eyes of the law, it doesn’t distinguish between people who have XY chromosomes or XX chromosomes.”

Cate and Cassie agreed readily. “A supervisor is in a position of power.” Cate observed immediately.

Cassie nodded. “Absolutely they are. Which is why there is so much emphasis placed on the prohibition of supervisors pursuing a sexual relationship with their subordinates. It’s an uneven power dynamic, so there cannot be true mutual consent because the subordinate knows they can be fired or otherwise sanctioned by their supervisor if they don’t agree to the relationship.”

Delores looked pleased but pensive. “Good, thanks for your input, Ladies. Michelle, it was good to hear your opinions from a lawyer’s perspective. Cassie, you’re a seasoned agent working in a field that has been male dominated for a long time, although we are slowly addressing that trend, along with instituting hiring practises that are more inclusive of diversity. And Cate, you have worked for two federal agencies, so I was especially interested in hearing your views.”

Cate decided that perhaps Delores Bromstead’s bark was worse than her bite. It was nice to feel that people valued her opinion on such important matters.

“Glad to be of help,” she answered, shooting a look at Morrow who was wearing a rather odd expression on his face. Despite being a profiler, she couldn’t read his emotion.

Delores nodded. “Yes, but I must admit, I was a little surprised. You seem to have had a rather sudden change of heart.”

Cate wondered where she was going with that statement – Cate had always been a strident supporter of female rights and gender equality. Her gaze flickered across to Morrow and the two other women. He was watching her with a knowing look on his face, but the two others wore looks of bemusement which mirrored her own.

She shook her head in disagreement. “No, I’ve always felt strongly about gender inequities in the workplace. People should be held to account for their actions.”

Delores gave her a pitying look. “Far be it from me to call you a hypocrite, Cate but you might want to re-examine your attitudes.”

Cate was getting furious. “Are you calling me a liar?”
“On what basis are your making those allegations?” Michelle asked the deputy head of HR; her lawyer’s training kicking in.

Meanwhile, Cassie was watching the director appraisingly. He’d remained silent and impassive; merely an observer to the interaction unfolding.

Delores handed over three sheets of paper to the three women. “Here, read Agent Todd’s words for yourselves and make up your own minds.

NCIS/DC/MCRT-PACT_I1 -5/11/2004
Transcription

Agent Gibbs: How’s it going?
Agent McGee: Bringing it online now, Boss
Agent DiNozzo: What?
Agent McGee: Year book photos from every year book in every British university between 87 and 97.
Agent DiNozzo: Who said our suspect is British?
Agent Gibbs: Ducky thought his syntax suggested that he had higher education in the British Isles.
Agent DiNozzo: Maybe he just grew up watching tons of Cary Grant movies?

Transcriber’s Notes:
[On the audio, a loud thwack it clearly discernible so I accessed the security feed to determine the source of the sound.
Head slap occurs as Gibbs hits DiNozzo and he visibly flinches.]

Agent DiNozzo: Okay, why the decade between 87 and 97?

Transcriber’s Notes:
[DiNozzo then grimaces in pain from the prior hit sustained to the head.]

Agent Todd: Because I estimated his age to be 33 and added five years on either side for safety.
Agent DiNozzo: Ah did you spend college summers working a carnie as Madame Natasha?
Agent Todd: I’ve always been good at guessing ages.
Agent DiNozzo: Yeah how old am I?
Agent Todd: Based on chronology or maturity?
Agent DiNozzo: That is very funny. Come on. How old am I?
Agent Todd: Thirty -two.
Agent DiNozzo: You saw my file.
Agent Todd: Nope.
Agent DiNozzo: Well how old is Gibbs.

Transcribers Notes:
Agent McGee’s sentence is muffled. I am fairly sure that he says: Okay we’re online and ready to go.

Agent Gibbs: That’s good work, McGee.
Transcriber’s Notes: [According to the security video, Agent Gibbs ruffles McGee’s hair in what appears to be an affectionate fashion.]
Agent McGee: Anytime, boss.
Agent DiNozzo: Look at that. He gets a pat on the back and I get a smack on the head.
Agent Tod: Oh, it doesn’t seem fair, does it?
Agent DiNozzo: No-ooo
Agent Todd: But it is.
Agent Todd: A fax came in from AFIS. Our victim is Staff Sergeant Thomas Grimm. He was an armourer attached to the ordinance maintenance centre at Quantico. Responsible for weapons inventory and custody cards.

Agent Gibbs: Makes sense...given the way he died.

Cassie, Michelle and Cate began to read the transcripts of the tape. As they read, Cassie and Michelle looked shocked, angry, and then repulsed. They were both looking at Cate as if she was a pile of steaming dog crap.

Cate felt shocked too. How did Bromstead know about this? She hadn’t given a transcription of the discussion to Tom Morrow – that meant he already had it. He’d probably given it to her. This whole ‘focus group’ was a crock! She’d been set up!

Cassie glared at her. “Oh my God, Cate! You told an assault victim that it was okay when his supervisor hit him. How could you?”

Rolling her eyes, she retorted angrily. “That was hardly an assault. It was barely a tap! Besides, he’s no victim! Tony’s obnoxious and annoying! I often feel like head slapping him myself! Gibbs was provoked!” She spat out her sentences, short and angrily. But more importantly, they were diametrically opposed to everything she’d just said.

“Why are you wasting time setting me up over something that is a storm in a teacup? What about all the female agents who suffer sexual discrimination every day. Why aren’t you focusing on real issues?” She demanded of Morrow and Delores.

While Michelle looked horrified by her response, Morrow calmly produced a remote control from somewhere concealed on his person and pointed it at the large plasma screen. A security tape began to play black and white CCTV security footage of the bullpen. The picture quality wasn’t great, but everyone could see the head slap and Tony’s physical reaction to it. Also, after making a comment DiNozzo then proceeded to rub his head in apparent pain and was grimacing.

Later, you could also see Gibbs ruffling Timothy McGee’s short cropped hair in appreciation. Somehow that just seemed to make the head slap come off as more abusive in contrast.

Michelle Lee, NCIS legal officer quirked a single eyebrow. “That did not look like a tap to me. In my book that was clearly an assault and I think it would be viewed that way by the courts too. And it doesn’t matter if he was provoked or Agent DiNozzo is loud and obnoxious,” she frowned disapprovingly at the probationary agent sitting next to her.

“As we observed earlier, there are proper procedures and processes in place for supervisors to address those issues. There is absolutely no excuse for a supervisor to discipline... ‘physical assault’ another team member in such an inappropriate way. You said it yourself not ten minutes ago, Cate.”

“Well that was when I thought we were talking about something serious. Not Tony opening his mouth and pure drivel coming out that drives us to distraction. He’s a dumb jock and a head slap is all he understands.”

Yates clenched her fists’ while her eyes flashed in anger. “Tony was just doing his job as the 2IC. It’s his role as senior field agent to question other team members’ assumptions and to present alternate explanations or options. The alternative explanation sounds like a perfectly reasonable one to me. And if you can’t see how wrong it is, then you shouldn’t be in law enforcement, Cate.” Cassie stated categorically, her friendly attitude to the newcomer taking a 180-degree turnabout.
She looked pointedly at the silver crucifix which Cate proudly wore around her neck. “Can you swear on the bible that if anyone did that to you, you wouldn’t regard it as an assault upon your person and object to it, Agent Todd?” Cassie threw down the gauntlet to her.

Cate looked ropeable but didn’t rise to her challenge. “Okay maybe I would, but then I’m also not a dumb jock who annoys everyone on the team. Where were you all with your highly judgemental bull-crap when Tony used a girly magazine to explain crime scene concepts to me? I found that highly offensive,” she huffed furiously.

“Bet you don’t haul him over the coals for it because he doesn’t have ovaries, so of course he gets a free pass. Plus, he thinks woman are too weak or dumb to be murderers. He believes that Master Sergeant Rafael is the murderer, not Corporal McClain, even though Melinda Stone told us the killer was Patricia McClain.” Rolling her eyes in irritation she concluded her rant with a parting shot, “The man is a chauvinist and he flirts with anything in a skirt.”

Delores looked scandalised. “Agent DiNozzo used pornographic images as training aids? Why was HR not notified immediately, Director Morrow?”

Morrow chuckled. “Relax, Ms Bromstead. I know all about it and no, it wasn’t pornography, it was a Sports Illustrated type magazine with a bikini clad model on the cover, although I rather doubt Agent Todd would have been complaining if the model on the cover was male with a six pack.”

Delores didn’t look convinced, but the director shrugged. “Probationary Agent Todd neglected to mention that it was a magazine DiNozzo found lying around the crime scene (on Air Force One). It belonged to someone else. He merely used the model on the cover to illustrate the point about why you needed to take both photographs and sketches at a crime scene.

Yates nodded her agreement. “Ducky was there too, and he said it was a quite brilliant way of explaining an important forensic concept in a timely and succinct manner to a green as grass newbie like Todd, who’d wanted to know why you needed to sketch the crime scene if you’d already taken photographs.”

She glared at Cate. “Ducky also said he was going to borrow the technique when he had to explain the principle to FLETC students when they make their field visit to Autopsy.”

Delores nodded in apparent comprehension. “I see. Well that puts a different slant on your story. So, let’s focus on you and your behaviour instead, Agent Todd.” Delores countered wryly. “Don’t forget, you’re the one who’s laid themselves open to a charge of being an accessory after the fact to an assault on a federal agent.”

“Which is a federal crime and if convicted it would make you ineligible to work in law enforcement.” Michelle Lee pointed out swiftly.

“Jesus, Mary and Joseph! You people just don’t get it.” Cate exclaimed in aggravation. “It was just a tap. He’s got a hard head - the reason why it made a sound was because there aren’t many brain cells in there – its hollow. His brain is between his legs!” she snarked.

“I give up. Director. There is no point arguing with Probationary Agent Todd.” Cassie literally and figuratively threw up her hands in the air. “I’d like to formally state that should you ever require me to work in the field with her, I would consider resigning before I’d ever agree to such an assignment. I refuse to work with anyone as bigoted and two-faced as she is.”

Tossing a poisonous glare at the Cate, she heatedly demanded, “How do I know that she doesn’t also have a problem with black agents or Latinos as well as having problems with males? Sure, she says
she is all for gender equality, but that’s just a crock of shit. What about gay agents? Does she have issues with them too?”

Cassie turned and glared at Cate, speaking to her directly – and bluntly. “It’s agents like you, Todd, who make it harder for competent female agents to make it in this male dominated field. I’d heard a heap of scuttlebutt about your whinging all the time when jobs are assigned that you think are beneath you. How the only reason you must do them is because you had ovaries instead of balls. Well I made up my mind to discount 98 percent of that as being crap and I was willing to give you the benefit of the doubt.

“But Delores called it – you are a hypocrite. You’ll play the sex card when it is convenient to get what you want. Paula Cassidy told me you were whining to anyone who would listen when you were in Gitmo because you didn’t get the bedroom that had a bath. You said that women need a bath, but men didn’t – they could take showers. So much for gender equality but ask you to do a menial job and suddenly that’s sexist!

Shaking her head in distaste, she looked over at the director who quickly interpreted her plea to be released.

“I’ll bear in mind your situation for future assignments, Agent Yates. It is imperative to have confidence in the agents that you work with, particularly when you’re in the field. You may leave now, I know you have an appointment with MTAC soon. Thank you for your assistance, I appreciate your thoughts.”

He hesitated a beat and looked sad. “Chris Pacci was very proud of you, you know.”

He smiled at her when she looked pleased but embarrassed before he turned to Michelle. “Ms Lee, thank-you for your help and lawyer’s insights. I know you have plenty of calls on your time,” he dismissed her too.

Both women stood up, studiously ignoring Cate, a situation which wasn’t lost on the profiler - despite being utterly furious by what Cassie Yates had said to her.

How dare she? Who the heck did Cassie Yates thinks she was – she was an obscure field agent working for an insignificant little federal agency. Talk to me when you’ve worked your way up the Secret Service ranks and led the team who protected the POTUS, you stuck-up little biatch!

Furious as she was, Cate was unfortunately enough of a pragmatist to know that Yates would probably share her opinions about her with the other female agents at the agency and even the male agents, making it that much harder for Cate to transfer if Tony became too annoying.

It wasn’t fair -it was all his fault for being such an annoying pain in the butt.

~00o~

After the director dismissed the two women, he watched them gather their accoutrements and depart, he thought about Cate’s rant about DiNozzo’s annoying behaviour. He considered her complaints about Tony’s flirting, frankly he thought it reeked of hypocrisy since she wasn’t above drooling over attractive male agents on occasion. Morrow had personally seen her fluttering her eyelashes and doing those not so subtle hair flicks which inevitably showcased her boobs when there were young attractive male agents like DEA Agent Ken Fuller in the bull pen.

Then there was Gibbs who was not above using his own physical assets to influence suspects or witnesses when it was necessary, but it was always Tony who attracted her criticism. Considering
her own unprofessional shenanigans had cost her a plum career in the Secret Service the director would have expected her to be a little more circumspect about throwing around rash accusations of impropriety. After all, Tony wasn’t the one who had to resign because of fraternising with the POTUS’s football carrier – so pot and kettle much?

Although he took anything she said about DiNozzo and impropriety with a grain of salt, he was also extremely interested in knowing why DiNozzo thought Master Sergeant Rafael was the killer rather than DEA Agent Stone or Corporal McClain. He doubted that it was due to chauvinism, either. He was too good an investigator to discount a suspect simply because of their gender.

Tom resolved to ask him about his theories on the murderer later when they met to conclude their interrupted debriefing. He still had to break the good/bad news to him at their meeting later, depending upon DiNozzo’s half-full or half-empty perspective.

Once Michelle Lee and Cassie left his office with a final scathing glance at Todd, the director took charge of the situation once more.

“You’re only half correct, Probationary Agent Todd.” Morrow drawled feeling amused.

“Yes, the damning opinions you expressed here about assault would probably be tossed out because you weren’t made aware you were under investigation and therefore you had a right not to incriminate yourself. However, the charges will likely still be valid because we have other evidence - physical evidence of the crime. The audio tape and the security videotape should be ample evidence for a conviction.”

Tom didn’t bother getting into the tricky aspect of the legality and provenance of the audiotape but if it was a real case and he intended to charge her, the director would engage a lip reader to transcribe what had been said on the security tape and just not bother submitting the audio tape (inadvertently supplied by the gormless Jimmy Palmer) into evidence.
Cate had turned white as she processed that observation, sweat appearing on her forehead as she realised she could be in deep shit.

“I can see you are still angry about our little subterfuge in getting you to make damning statements that could be used against you. Well I chose to do so to illustrate to you that it isn’t all that different from what you did to Master Sergeant Rafael, really.

Cate opened her mouth to object to that assertion, but Tom was too quick. “And before you say that it doesn’t matter because he was guilty, ‘after all, he confessed,’ think about the fact that you were also guilty of a crime too. Did it make it alright to let you incriminate yourself like that simply because we knew you’d committed the crime?

Cate scowled, and Tom knew she had gotten the message, loud and clear - even if she didn’t want to admit it. Gibbs was right, she did have balls, just like him. And just like Jethro, she didn’t like to admit her mistakes.

“But what about the next time you fail to advise someone of their rights and you trick them or you coerce them into making a confession without them receiving competent legal advice? What if you are wrong about them being guilty – even innocent people frequently make false confessions for a variety of reasons and years later, advances in technology like improved DNA testing prove their innocence. What if you put someone away who didn’t commit the crime, but they spent their life in jail, Agent Todd?

Delores chimed in, “I’m not a field agent, Director Morrow and yet I can only imagine it would be an impossible burden to bear. I doubt I could live with myself.”

“Which is why the judge quite literally had no other choice but to effectively let a weapons dealer and quite possibly, a murderer go free. So that people such as yourself get the message that Article 31’s and Miranda Rights must be observed, even if it means you don’t get a conviction.”

The director leaned forward in his seat and regarded Caitlin Todd with the utmost seriousness. “Our justice system is predicated on the concept that it is better for ten guilty people to go free than have one person who is innocent be wrongly convicted.”

He cocked his head to the side and seemed to be considering his options before continuing. “And before we discuss your future, I’d like you to know that despite your unacceptable response to Agent Gibbs assault on Agent DiNozzo, I’ve decided not to press charges against you - not right now.”

Cate looked up sharply, wondering what his agenda was. She decided that it was prudent to remain silent, realising that Morrow wasn’t finished with her yet.

“I will however be mandating that you attend extensive counselling sessions and sensitivity training – and not just because of this particular incident. I’d like for you to read this transcript and then I want to discuss it further.”

He handed Todd a sheet of A4 paper and watched her read its contents:

NCIS/DC/MCRT-PACT_I2 -5/13/2004
Transcript
Agent DiNozzo: I really liked her.
Agent Todd: ATF agent involved in illegal weapons and murder, what’s not to like.
Agent DiNozzo: So quick to judge Cate. Sure, she has flaws, sure she’s going to prison. But my instincts tell me she had good qualities as well.
Agent Todd: Two of them wouldn’t happened to live under her shirt, would they?
Agent DiNozzo You’re not going to believe this but... ah when it comes to women I look for more
complex things under the surface.
Agent Todd: Really?
Agent DiNozzo: Really,
Agent Todd: Like when you were tonguing that he/she a few weeks ago. Lots of complex things going on under that surface.
Agent DiNozzo: I’ve got to go.
Transcribers Notes:
[DiNozzo hurriedly leaves the bull pen, visibly distressed. He bumps into Agent Gibbs who then proceeds to the Major Case Response assigned work area.]
Agent Gibbs: What’s up with DiNozzo?
Agent Todd: He’s conflicted.

Cate finished reading the transcript and sat back in her seat, regarding the director speculatively. A smug smile hovered on her lips and her eyes crinkled with amusement. Apparently, she couldn’t see a problem with what had occurred.

“So? We were just talking, after the case was closed. Talking isn’t a crime, now is it?”

Delores spoke up. “So, you see nothing inappropriate in your comments to Agent DiNozzo?”

“No, and if you want to talk about inappropriate remarks, let’s talk about DiNozzo. Every word out of his mouth is sexist.”

Morrow interrupted what was clearly going to be Todd on her soap box full of self-righteous claptrap.

“I really want to know why you think it’s acceptable for a federal agent to refer to someone who was trans*gender by such an inappropriate and derogatory epithet. It is abhorrent to me and I will not tolerate it. If another agent referred to you in such a pejorative and prejudice manner you would be the first one to complain about it.” The director stated categorically.

Cate looked at him disdainfully.

“Would you be equally disrespectful if a person had a physical or mental disability? What about if they had a deformity or they were gay?” he demanded. “Because I’m not willing to tolerate that sort of behaviour in this agency. You have an issue with people who are different from you – that’s your bad and your problem but you WILL treat them with courtesy and respect while you are representing this agency. Are we clear Probationary Agent Todd?”

Looking mutinous she growled. “Yes, clear as a bell!”

“Trans*genders are people - just like you are. They have feelings and emotions - just like you. Plus, they face a great deal more adversity and oppression than you ever will, even with working in a male dominated profession. Get over yourself or GET OUT!” He raised his voice at this point and looked fierce before modulating his voice again.

“You have such compassion for victims, Agent Todd (aside for DiNozzo) and even have empathy for criminals and terrorists, yet you seem to have nothing but contempt for trans*gender individuals. I really do wonder what your God would have to say about that.”

Delores flashed him an enigmatic look before she spoke. “Agent Todd, looking at this from the perspective of the deputy manager of Human Resources, I have to say that I also find you behaviour
to be most concerning. In addition to what the director has said about the need to treat everyone you encounter (in your position as an NCIS agent) with absolute respect, be they workmates, victims, witnesses, or perpetrators, I feel quite strongly that a case could easily be made that you psychologically bullied a team mate. Quite aside from the fact that your behaviour could also be construed as gross insubordination.”

“Insubordination? Oh please! This is DiNozzo we are talking about. Agent DiNozzo is not my superior – Gibbs made it very plain when he told me that DiNozzo can’t give me orders. Therefore, how can I possibly be insubordinate?” the brunette agent demanded furiously.

“It’s preposterous to suggest he is my superior in any sense, be it seniority, ability or intellect. Gibbs is constantly head slapping him and making disparaging remarks about him, which is a pretty fair indication of his opinion of him. It’s ridiculous; with my leadership skills and work history, clearly, I AM his superior,” she spat, her hazel eyes flashing in rage.

“Those would be your leadership skills and intellect which you displayed when you were forced to resign from because of your...peccadillos with the POTUS’ football carrier, would it? Among other issues of...ah incompetency,” Delores smiled at her sweetly, whilst twisting the knife sharply between her ribs.

Cate bit her lip, obviously angry. Maybe she had also just belatedly realised that she’d just revealed that the head slap occurred more than once to her knowledge - which wasn’t terribly smart of her.

Into the silence which followed, Delores continued her offensive. “Let me put this as simply as I can. Whether you like it or not, Agent DiNozzo IS your supervisor and therefore you’ve been grossly insubordinate, not to mention completely disrespectful. Regardless of what Gibbs may have said to you regarding DiNozzo, you know damned well how the chain of command works. As you just pointed out, you were a team leader.” Delores stated brusquely.

“Gibbs has also been disciplined for his failure to follow the chain-of-command and inciting your insubordination. He’s been demoted to the position of senior field agent since he’s obviously forgotten what an important job it is. Hopefully, becoming one again will remind him of its importance and teach him some respect.” Tom dropped his bombshell on the young woman, relishing the look of shock which replaced her previous defiance.

She opened and shut her mouth, not knowing what to say to that stunning piece of news. Maybe Gibbs was as bulletproof as he thought he was, and that meant she was probably in a much more perilous position than she’d realised.

The insubordination issue dealt with, Delores returned to her previous point. “Okay, so, let’s go back and talk about your psychological bullying of Agent DiNozzo.”

Despite knowing she should be acting submissive and subservient if she wanted to salvage her career, she couldn't keep her mouth shut.

“Psychological bullying? What a pile of horse manure! This is DiNozzo we’re talking about. Not some precious little snowflake – insults are like water off a duck’s back to him. Trust me, he’s unsquashable.” Cate defended herself wrathfully.

Delores gave her a pitying look before engaging in a silent communication with Tom that he took to mean, ‘Are you sure she is really a profiler?’ He in turn shrugged and shook his head. He was just as sceptical of her claims too – having seen little evidence that she could in fact profile anyone.

Had she ever, even just once stopped to think that Tony was still struggling with the death of Chris
Pacci just a few weeks ago? He doubted it. Oh yeah, terrific profiler!

Delores took a deep breath, not deigning to respond to Todd’s callous excuses. “It seems like Agent DiNozzo needed to talk about his feelings regarding Agent Stone and her arrest. Many law enforcement personnel have deeply conflicted feelings about dirty cops or federal agents.”

“Oh, he was conflicted all right. He never had a chance on the case to do more than flirt with her. He didn’t have time to get into her pants.” Cate smirked, most unwisely.

Morrow frowned at her flippant attitude. Where was her empathy that had been so evident when she broken an amnesiac killer out of hospital by coaching her to deceive her doctors? Or when the bastard who cold bloodedly put a bullet it Gerald Jackson’s shoulder socket gave her a split second to attack him and she hesitated because she decided he had kind eyes?

“Police and feds are strongly inculcated during their training that their fellow cops/agents are their brothers and sisters in arms. We emphasize how vulnerable they are to criminals and psychopaths, so they must be there for each other – because oftentimes, no one else will. Then when one of their own is corrupt and they must arrest them, it’s extremely common for them to experience a lot of guilt, to feel like they have let their brethren down by turning them in.”

Leaning forward unconsciously as he tried to make his point, he continued to explain. “They also know damned well that dirty feds and cops are going to be subject to brutal treatment by the other inmates if they can get to them – that they will need to have eyes in the back of their heads to stay alive. That adds to their feelings of disloyalty and betrayal to a fellow agent or cop. Tom explained frustrated, feeling like he shouldn’t have to explain the facts of life to a highly experience agent and psychological profiler which Cate claimed to be.”

Glaring daggers at her, the deputy HR manager retorted bitterly, “Plus, they can also be feeling angry at the corrupt cop for the betrayal of all the principles that cops hold dear. Oh yes, Agent DiNozzo was conflicted alright, and you turned it into a joke. Great profiling!”

Rolling her eyes but keeping her mouth shut, Cate wondered if these people were for real. Clearly DiNozzo had them both fooled. Bromstead probably had a cougar-crush on the juvenile agent – why else would she be making excuses for him.

Changing tack and catching Cate completely off balance, Delores asked. “Have you ever lost a colleague in the line of fire?”

Cate was caught off guard. “Well...ah Agent Pacci.”

“I meant, someone you actually knew, someone you worked with? You really didn’t know him or even have anything to do with Agent Pacci, did you?”

“No, I guess not.” Todd conceded. “I saw him around.”

“Did it never occur to you that Tony did? He and Pacci weren’t merely colleagues in the same office who barely knew each other. Chris was a friend and even something of a mentor to him. You hardly knew him, so you didn’t need to mourn him, but Tony does need to grieve. He didn’t even get a chance to attend his memorial service. You went with Gibbs and he had to remain behind on the stakeout.”

It was patently clear to both of them that she’d never given any thought to how Chris’ death affected her teammates and the other agents in the bull pen. Morrow might not be a psychological profiler, but he could still read Delores non-verbal cues.
Delores smiled grimly at her boss; it was obvious she was rapidly losing her patience with the obtuse agent. “I’m quite surprised, Agent Todd that with your profiling training you need to have all this spelled out for you. You seem to be curiously lacking in insight, if you don’t mind my saying so.”

Cate predictably, lashed out at her in anger. “Yes, actually. I do mind. What do you know about profiling?”

Tom smirked. “Actually, Ms Bromstead knows quite a bit. She holds a master’s degree in organisational psychology, among other qualifications relevant to her position. It’s one of the reasons that she is 2IC of the Human Resources department.”

Delores coloured slightly at her boss’ defence of her, but otherwise she stayed the course she had set herself. “I find it curious to say the least, that as a “profiler” you inflicted cruel psychological attacks on a teammate who was in emotional distress -presumably for your own sick gratification- instead of offering empathy and support. You also knew that the subject of Commander Voss was a highly sensitive one because of how Special Agent DiNozzo has reacted to your taunting him in the past.”

Cate was about to deny that accusation when she glanced at the director’s face which could only be described as stony. “We know this isn’t the first time you’ve taunted him about it in public,” he challenged her, his eyes flinty and his arms folded as he stared at her.

While Cate was considering disputing the director’s charge, Delores slapped down a pile of paper onto the conference table forcefully.

“Don’t bother denying it, Agent Todd. These are affidavits from senior supervisory agents stating that, on numerous occasions you’ve taunted Agent DiNozzo in the bull pen about him kissing the trans*gender Commander Voss who was hiding out as Amanda Reed. Who can say how many other times you’ve chosen to bludgeon him about it when there haven’t been witnesses present,” Delores stated.

“Well, so what if I did! He DID kiss the he/s...er the Commander. Not just kissed him, he tongued him. How is that bullying the poor little snowflake to state the truth?” Cate demanded, her voice dripping with sarcasm.

Shaking her head, Delores corrected her sharply. “Not him...her! Commander Voss was trans*gender. She was living a secret life in the Navy, renting apartments wherever she was stationed so she didn’t always have to pretend to be something that she wasn’t. All because people like you made her feel like she had to hide who she really was.

“You’re supposed to be a psychological profiler. I would expect you to have more educated and enlightened attitudes towards gender identity, Agent Todd. And I, like the director wonder how you can profess to have Christian values and yet be so judgemental about people who aren’t doing anything wrong or hurting anyone else.”

Cate flushed, her anger at Delores criticising her making her speak without thinking. “God doesn’t condone homosexuality or perverts like Voss who dress up like girls and play pretend. The commander had a penis and testicles – not ovaries and uterus so he was a male - end of story! It isn’t natural – it’s sinful and people like him will be burning in Hell!”

Morrow sighed. “Although you are entitled to your own narrow and extremely bigoted religious views, you are not entitled to express them while working at NCIS, not explicitly, not even implicitly through your attitudes and behaviour. Which is why you will be attending sensitivity training for the foreseeable future if you wish to continue working here a day longer. You are an embarrassment to the agency.” He told her sternly.
Taking a leaf out of Bromstead’s book with a change of direction, to keep her off centre, Tom asked her. “Why do you think that it was so funny that Agent DiNozzo kissed Amanda Reed.”

Trying not to roll her eyes at how dense they were, Todd replied, “Because he is always flirting with Barbie-doll stupid bimbos and going on about his dates with women, but he was really kissing a guy.”

Delores exchanged a look with the director. “So, you think it is funny because she fooled DiNozzo into kissing her and you think she is a man.”

The look that Todd gave her was easily interpreted by Tom and Delores. ‘Duh!’

“Are you suggesting that because you see her as male that means Reed/Voss is gay and if Agent DiNozzo kissed her then that makes him gay too?” Delores pressed the profiler.

Cate looked cagey. “Well maybe... Tony certainly looked like he was getting off on it. Maybe his flirting is just an act to cover up his real orientation.”

Delores rolled her eyes and made no attempt to disguise her disbelief. Tom was reminded of that old idiom – there are none so blind as those who will not see. Her rigid religious beliefs caused her to be willfully stupid and getting in the way of her doing what she was paid to do. Which was hugely problematic since a lot of psychological profiling related to sexualised behaviours and violent crimes against people.

Delores pressed her advantage. “We’ve already pointed out to you that Tony is still struggling to deal with Agent Pacci’s death - which was only a few weeks ago. Even you should be able to understand that constantly reminding him that he kissed the person who eviscerated his friend probably makes him feel sick to his stomach. That is why he gets so upset when you taunt him, Agent Todd, not because he’s hiding in the closet.”

Director Morrow spoke. “And even if he is a closeted gay, he has a right to his privacy. No one’s sexual preferences are anyone else’s concern as long as what they do takes place between consenting adults.”

“That’s not what the church says or the military either.” Cate retorted unable to zip her lip on the topic after her professional skills had been called into question. It seemed like the link between her brain and her mouth had been cut.

“Perhaps not your church, or your parish priest but I also know of priests and nuns who beg to differ with canon law on this point. Plus, I am optimistic that in the not too distant future DADT will become obsolete.” The director stated firmly.

“As for Agent DiNozzo, as an undercover cop who worked in the Vice squad for several years, I think I can say categorically that he wouldn’t be rattled by kissing Amanda Reed just because she is a trans*gender female. I’m pretty sure it wouldn’t be his first time kissing someone who was trans. I think you are the superficial one, Agent Todd.”

Cate tried to incinerate the director with her glare, before being caught off guard as the deputy HR manager changed direction yet again.

“Tell me, what do you think about Gibbs affectionately ruffling Agent McGee’s hair.” Delores asked suddenly, a strange almost predatory look on her face.

The former Secret Service agent squirmed uncomfortably. “I thought it was a bit off, to be honest. Certainly out of character for a tough Marine like Gibbs, but he seems to have taken quite a shine to
McGee. And I thought it was pretty funny because it peeved DiNozzo. Anything that annoys him is good in my book.” She answered impulsively and then flushed, maybe realising that was not a very politic answer.

“Do you think that Gibbs is gay, or perhaps you think that McGee is gay and has a crush on Gibbs?” Delores quizzed her curiously.

“Maybe...” She said, her voice trailing off before observing. “He sure as heck doesn’t ruffle my hair!” There was a hint of a pout in her voice.

Is she jealous, Morrow speculated, curiously? Does she have a crush on Jethro?

“Perhaps they both are gay? Would it bother you, Agent Todd?” Delores had an unrelenting intensity about her that made Tom speculate about where she was going with these questions.

Now Caitlin Todd was the one that looked conflicted. Finally settling on a somewhat tentative, “I don’t know. Maybe?”

Delores frowned. “Gay cops and agents are often chary about coming out to their colleagues because some people can be extremely homophobic.” She stared pointedly at Cate.

“The greatest fear of any gay and lesbian law enforcement individual is that when they need back up, it won’t come for them. Every Tom, Dick and Harriet knows that it can be extremely dangerous to announce you’re gay, so I’m certain you know that too.”

Todd remained mute but her non-verbal cues indicated that she knew it.

“So, with that in mind, please do tell me Agent Todd, why on earth would you keep taunting Agent DiNozzo in the presence of other agents if you honestly suspect he is a closeted gay?” the older woman quizzed incredulously.

Cate seemed unconcerned, but Tom could see where Delores was going with her questions.

“Constantly reminding him of kissing Agent Pacci’s killer is cruel at the very least, but I can’t help thinking that your motives may be way more sinister. Are you hoping to get him killed by outing him so if he calls for backup, homophobic agents erroneously thinking he’s gay would fail to come to his assistance?” Delores leaned across the table relentless in her interrogation and intimidating.

“Trust me, Agent, if I believed that was your real intention - not just that you were being a bitch of epic proportions - then facing charges of conspiring to murder a federal agent will be the least of your worries. “Delores promised Todd implacably and Tom felt the hairs on his forearms stand up at the imminent threat of danger in the room.

“Quite right, Ms Bromstead,” The director told her, furious but supportive of his clearly distressed and angry HR manager. Looking across at her, he saw that Delores was shaking with rage.

Caitlin Todd turned pale as a ghost as she stammered out a denial, although Tom was not entirely convinced he believed her. Even if she hadn’t consciously intended it, with her archaic and ignorant views about trans*gender people, plus her attitude to homosexuality in general, it still may have been a subconscious goal. And intended or not, if DiNozzo was labelled as gay, and was endangered by her actions then her intentions became a moot point for him if he was left without any backup.

Morrow would have to think carefully about the potential ramifications from this new perspective. Sighing he decided to wind up this interview because he figured they could all use a breather, especially his deputy HR manager.
Plus, he still had to meet with DiNozzo before the day was out.

Clearing his throat, Tom stated sternly that he was going to have to investigate this new issue further. However, even if she was subsequently cleared of intentionally trying to endanger her superior, she quite obviously needed to attend counselling and sensitivity training. Attend and actively participate until the agency psychologist could satisfy Tom she could perform her duties without acting contrary to the tenets and principles of the agency and the Department of Defence.

For now, Morrow just wanted to present the probationary agent with the paperwork outlining the conditions which she’d needed to agree to and fulfil if Cate wanted to keep her job, then send her on her way so he could deal with a distraught Delores Bromstead. Although he’d originally intended that the HR deputy manager handle this section of the interview, she was still visibly shaken. Having a strong suspicion as to what had affected her so strongly, Morrow stepped in to wrap up the interview as swiftly as possible, meticulously outlining all the requirements.

He emphasized that she needed to read the document thoroughly before signing it. If she wanted to remain with the agency, then she had to figure out if her personal beliefs would make that possible.

At this point, she probably would be given one final chance before being fired, unless this business that Delores had flagged with DiNozzo proved to be real. If they could prove she willfully set out to cause him harm, then all bets were off and he’d be pressing the FBI for charges to be laid – reckless endangerment at the very least.

Tom wound up the interview with the miscreant agent, sternly reminded her attendance at FLETC was only the first of several changes consisting of extensive supervision and oversight of her work, which would include peer supervision of her profiling by a founding profiler from the BAU and extensive counselling. Finally, he reminded her Cate that there would be the addition period of probation that she would need to serve which would not include her period or retraining.

Cate was clearly not happy about all the stipulations but that was too fucking bad! Those were his conditions and he wasn’t prepared to compromise on any of them – there couldn’t be any more slip ups.

As she exited his office, petulance in her body language if not on her tongue, he half expected her to slam the door in defiance. Obviously deciding that she couldn’t afford to burn any more bridges yet, she closed it quietly. He looked across and noted that Delores was watching her closely.

“Think she will sign the employment agreement,” she asked shakily.

“If she wants to stay in law enforcement she will have to. She has no other options.” He said cynically. He hoped she’d decide it was all too difficult and resign since thanks to Gibbs, he couldn’t fire her – at this point.

She nodded. “None of the other alphabets wants her, either.”

Both sipped on water as they reviewed the interview. Tom looked at Delores seriously although there was something in his voice. “Remind me to talk to the FLETC instructor about setting her an assignment on trans*gender if she decides to stay. Perhaps she can complete some investigative tasks such as interviewing victims and door-to-door questioning while undercover as a trans*gender male.”

Delores chuckled weakly. “You do remember that the agreement you drafted requires that she pass ALL of the FLETC investigative and forensic courses before she can return.”
Morrow looked slightly mischievous as he made eye contact with her. “Did it? Oh well, failing a class or two can be character building, you know. I did state that if she failed a class she would have one further chance to retake it and pass the course.”

Delores said, “Please, Director, I don’t want to know. That way I have plausible deniability.

Tom nodded, a twinkle in his eyes, glad that Bromstead was smiling, albeit weakly. “Fair enough, Delores.”

A comfortable silence settled over them before Delores changed the subject.

Looking at him tentatively she asked, “You know, don’t you?”

He smiled. “Suspected is all.”

She seemed torn. “I thought about...” she trailed off uncertainly.

Tom interrupted her angst. “You have a right to your privacy, Delores. It is no one else’s business, unless you want to tell someone and if you do then know I’m more than happy to listen. No judgement.”

Delores nodded gratefully. “You’re a good boss. One day I might just take you up on your offer, Tom.”
So, in this instalment we have three separate missing scenes which are linked but separate. I really went overboard with this episode but there were just too many issues which I had with this episode. One more instalment after this one. Next episode tag is being written atm and I promise to be more focused.

Thanks everyone for your kudos and comments, as always they are much appreciated and have made for some interesting discussions. One theme which appeared quite a bit was the infamous gay cowboy photo which Cate and Abby created, or should I say, the writers created as a joke which no one found funny. Obviously that didn't occur until season two. I've already written a tag for that scene - actually, I have seven tags from season two which I wrote more than 18 months but unfortunately, they aren't in sequence. They're just episodes that I felt strongly about or the muse had an idea for. I'm tossing up whether to post season two tags in proper sequence or not. I'm a bit anal about stuff like that lol. Meanwhile the discussion got me thinking - considering the idea of posting an old story I wrote in 2013 dealing with what happened after the photo fell into the wrong hands. I've had requests to post it here before but haven't bothered posting old stories here - just my current work. It is a pain posting old stories, especially if there aren't many people interested in reading them. So I guess I'm asking, if there is enough interest in me posting Betrayals on AO3 or should I just focus on working and posting my current pieces instead?

I’m sure you’ll all join me in welcoming back my BR - the awesome Arress who has been doing it tough recently.

See the end of the chapter for more notes

Episode: Split Decision

Title: Pyrrhic Victory – missing scenes 3-5


Missing Scenes # 3 [This scene takes place at the end of the day of the original story tag]

Tony looked around the bar, trying to spot the two lawyers in the busy establishment. Eventually, he heard his name being called, and noticed Harm and Mac standing up and waving their arms around, beckoning him over to the table they where they were seated, with a round of drinks already
awaiting his arrival. Pushing his way through the throng of drinkers, Tony set a course for the table where the two officers were seated in the back of the bar and he noticed immediately, they’d picked a spot which had good visibility.

Although crowded, the bar was mainly a DC hangout for lawyers, but it was also frequented by cops and legal investigators. While any potential dangers might seem minimal, Tony appreciated that they’d picked out a spot where they could watch each other’s backs if it became necessary. It wasn’t probable, given the clientele, yet bitter experience had taught Tony to be prepared - because trouble seemed to follow him around. People accused him of courting trouble, but he honestly didn’t go out looking for it.

The fact that Mac and Harm automatically were on the lookout for any danger made him feel safe being with them. It was one of the reasons he and Harm got along so well together, despite their rather rocky start. Neither Mac nor Harm was your average lawyer or officer either.

They’d both done their fair share of field work – he’d even heard whispers that the CIA guy, Clayton Webb, had recruited both for several ‘missions’ which seemed highly irregular but then again, that was the spooks for you.

After greeting the two lawyers, he noted that Bud was conspicuously absent and when he commented, Mac laughed. “The MCRT is not exactly on Bud’s Christmas card list, Tony.”

He bowed his head, embarrassed. “Yeah... I can understand why.”

Bud was a real straight shooter, honest, decent, and not into mind games. He hadn’t responded well to Gibbs’ psychological games in the Fuentes case. Tony had heard via the grapevine that the newly minted lieutenant commander had a father who was a bully (yeah, so maybe Tony had snooped a little into his background), so it wasn’t surprising that Gibbs’ intimidation went down like a lead balloon with him.

And maybe after experiencing his own type of head games courtesy of Leroy Jethro Bastard Gibbs in the last ten months, he had even more insight into Bud’s avoidance of the whole damned team. Which was a shame since he rather liked the self-effacing young judge advocate, Tony knew he was one of the good guys.

“Still, I’m sorry he didn’t come. Bud’s a nice guy – I admire him. Tell him hi from me and on behalf of NCIS that I’m sorry, will you?” he asked Harm, who nodded.
Mac pushed a full glass of amber ale across towards him. “Here, Tony, we got you a beer, although if you want something a little stronger I can get it. It was a shitty day all round.”

Harm nodded sympathetically. “Hear that the whole MCRT got ripped a new one by the JAG. Scuttlebutt is that he didn’t hold anything back – went through the entire list of balls ups in the last ten months or so. Petty Officer Coates reckoned you could hear it two floors down.”

Tony grabbed the beer and in two gulps had downed over half of it gratefully.

Mac said, “Looks as if you need something stronger than that,” and rose to get it for him.

He realised that after what had been a truly shitty day that he desperately wanted to get drunk and almost said yes to her offer. That was until he thought of his drunk father and his mother who’d drank his sea monkeys because she thought it was a mint julep. He thought about the boss, about Jethro getting drunk on bourbon while constructing those hand-built damned monuments to his guilt and grief over his failures. The cop turned NCIS agent recognised that he didn’t want to become like any of them, using alcohol as an emotional crutch.

“Thanks, for the offer but no,” he replied warily. “I think I need to stick with beer,” he said, before pushing it away.

Harm suggested, “How ‘bout we get something to eat, maybe a burger?”

With a start, Tony realised that he hadn’t eaten all day. The truth was that he was feeling off balance after the ‘challenging’ day he’d had. It had started out with Harm approaching the judge to get Master Sergeant Rafael’s confession tossed out as inadmissible.

Then there had been the confrontation with the Judge Advocate General who was furious that a rookie had been allowed to interrogate a Marine who’d stolen high power weapons such as SMAWs. Of course, without supervision, it wasn’t surprising that she’d screwed up and obtained an illegal confession or that the JAG was fit to be tied. Then Director Morrow had weighed in, cutting a swathe through the team and Tony was still reeling from the aftershocks of his later meeting with the director.

Ha, challenging didn’t even begin to begin to describe the last 12 hours.
Looking at Mac, he decided to apologise for the team’s incompetence, screw Rule 6! He knew she hated to lose a case and glancing at Harm, he didn’t seem his usually cocky self after getting a client let off.

“Mac, I’m sorry about Master Sergeant Rafael’s confession. He shouldn’t have got off the charges, but that was our bad, not yours.”

The lawyer stared at her mineral water and scowled. “Yeah, it was, and thanks for acknowledging it, and from what I know, it wasn’t your fault. But I do hate it when I know that someone is guilty, and they get off on a technicality. I can’t stand the thought that he is still in the Corps despite what he has done. It’s an absolute affront to all the hardworking, honourable Marines who have to serve with him,” the proud Marine declared heatedly.

Harm grimaced. “Yeah, I know what you mean. It sucks to get someone off when you know damned well that they are guilty as charged but their rights haven’t been properly observed. Makes everyone hate my guts and make jokes about lawyers.”

Mac nodded her agreement. “I’m thinking about approaching JAG about launching a JAGMAN investigation into the Master Sergeant,” she said, referring to her boss, Major General Gordon Creswell, USMC.

Harm looked interested in her suggestion, but Tony shook his head. “I don’t think that is such a good idea, Mac. Tom Morrow has already asked me to investigate Rafael. Seems the Commandant of the Marines wants him gone, too.”

Harm interspersed with a wry, “I can’t imagine why that would be,” and Mac’s angry countenance melted a little.

“In fact, I think that we might be able to nail him on other weapons charges. I’ve already asked Joe Landers to obtain search authorisations for Rafael’s cell phone and landline records for the past three years. He told Cate that this was a one-off, but people lie. I want to double check his assertion that it was a one-off time. At this point, I’m not convinced that is the case.”

Mac looked happy. “Well, that’s good, but why not increase the pressure on him, make him sweat?”

Harm shook his head. “Not a good idea, he could claim this is a witch hunt because he got let off on a technicality. His lawyer could claim that he was being victimised and after the FUBAR - with his
failure to be read his Article 31s - if he decided to sue, it could look bad. Even if we do find something to charge him with, it needs to be done strictly by the book and no slip ups or he’ll try to get off on a technicality again.”

Tony nodded. “Agreed. He’s a wily bastard, which is why Joe and I are working on this jointly and the director is supervising every move I make. Any charges that are laid will be above board and fully vetted. Hell, Joe will read him his 31s if I question him. If there is anything there, he won’t manage get the better of me like he did with Probationary Agent Todd.”

Mac looked intrigued, but Harm was quick to object. “You make him sound like a criminal mastermind, but don’t forget, it was Agent Todd who screwed up by not reading him Article 31 rights when she decided he was lying. It was a real rookie blunder. As soon as he became a suspect, he should have been advised of his rights not to incriminate himself and been offered legal advice.”

Tony held his palms up in surrender. “Yeah, absolutely, she screwed up big time and Gibbs should never have let her do the interview alone. You won’t get any argument from me on that score. All I’m saying is that in my humble opinion, when she started trying to make him talk by threatening to gain access to his phone records, he knew the game was up. But he was sticking to his story even when Cate showed him the PM shots of Master Sergeant Grimm. It was after she pretended to leave the interrogation room and threatened that she’d be back to read him the Article 30 charges and his Article 31 Rights that he folded like a house of cards.”

“Yeah, she coerced him into confessing,” Mac commented, her voice dripping with disdain.

Tony nodded. “Maybe. Personally, Rafael didn’t strike me as someone to fold under pressure. He’s a Marine. I think that Master Sergeant Rafael saw an opportunity and grabbed onto it with both hands. When Cate reminded him that he hadn’t been read his Article 31’s, I think he saw a way to get out of the FUBAR mess he was in. He knew he could confess and implicate Patricia McClain, put the blame on her for Grimm’s murder and the stolen weapons. Claim it was just a one-off deal and when the confession was used against him in a court martial, he had a get out of jail free card since it wasn’t legally obtained.”

His two companions looked at him, startled by his out of the box take on the situation. As if he could read Mac’s mind, he continued with his analysis.

“Do I think it was planned? Of course not,” he declared. “How could he possibly know she’d screw up like that? Bottom line, he didn’t know. But the Marine saw an opportunity, a weakness, and he took advantage of it, like he was trained to do. And it worked!”

Both lawyers remained silent as they examined Tony’s theory. It was true that Master Sergeant Rafael was an intimidating guy, both physically and mentally. It also wasn’t that likely that he’d
caved due to fear or pressure – it was more conceivable that he realised Todd had committed a grave error, leaving herself totally vulnerable to attack and like the apex predator he was trained to be, sensing her inexperience, he’d seized the moment. In other words, he’d checkmated her without even working up a sweat!

Sarah and Harm exchanged enigmatic looks before Mac sighed. “Okay, you’ve convinced me. It’s a much more plausible scenario. He’s cunning as a weasel. Is that why you think he killed Grimm?”

“It is only partially why. I think he has more to hide – but I’ll know more later and keep you updated,” he promised.

“Fine, I won’t bring up a JAGMAN investigation, but Caldwell is furious, too. He might be the JAG, but once a Marine...” She shrugged, knowing he’d worked with Gibbs.

“Yeah, I’ll ask Director Morrow to inform him about our new investigation.”

Harm agreed. “Wouldn’t hurt. Good luck, Tony! I hope you nail him.” He looked at Tony and Mac who were eyeing him speculatively.

“What? Just because I got him off, doesn’t mean I enjoyed it. But the bottom line is what Todd did is a threat to everyone who might be coerced into giving a false confession, especially if they are innocent. It is the foundation upon which of our justice system is built that people have the right not to incriminate themselves,” the commander argued strenuously.

As they sipped their drinks a little morosely, Mac shook her head. “Okay, we asked you here for a drink after the case, DiNozzo. What happened sucks, but what’s done is done. Hopefully, we’ll learn from this situation and make sure it doesn’t happen again.” Raising her glass of mineral water (with a slice of lime) into the air, Mac looked expectantly at her two companions.

Harm raised his second glass of beer, clinking glasses with his partner. “I’ll drink to that. Cheers!”

They both looked at Tony who participated somewhat guiltily. “I’m sorry we stuffed it up, guys. If I have anything to say about it, it won’t happen again.”

Sarah realised as mad as she was, Tony probably felt worse. Everyone knew the cop was honest and ethical and he hated criminals. Patting him in a business-like fashion on the shoulder since she sensed
that he wasn’t a touchy-feely type, (and neither was she, she was a badass Marine, thank you very much) she told him firmly, “Enough with the guilt, Tony. As far as I understand it, it wasn’t you who screwed the pooch.”

He shook his head stubbornly. “There is no I in TEAM, Mac. You know that! Besides, I’m the senior field agent – I should have made sure I explained to her how important it was NOT to question a suspect without reading them Miranda or Article 31 Rights, so it IS my bad!”

Harm exchanged an inscrutable look with Mac who shrugged and nodded, sending her long-term partner a nonverbal message. You tell him. Harm scowled back at her.

“Would that have made much difference, though? As far as I’ve heard, Gibbs told her she didn’t have to follow your orders and she followed that rule to the letter.”

Tony flashed a brief glance at Mac, who didn’t seem stunned by what Harm had said. He was both shocked and embarrassed, and as frustrating as Gibbs was when it came down to chain of command ever since Caitlin Todd had replaced Vivian Blackadder, he’d certainly never bitched about it to Rabb... or anyone. Damn it, if he was honest, he was in denial about it most of the time.

Mac looked bemused. “I just don’t get it. Gibbs was a Marine and by all accounts a damned good one once. He was a gunnery sergeant, too, not merely a lowly grunt who dreamed of having power and didn’t. An NCO damned well knows how chain-of command works and that you NEVER EVER encourage people of unequal rank and skill sets to compete against each other. This wasn’t on you.”

Tony was mortified. Harm and Mac were stationed out of the Virginia Office, at Falls Creek. Did that mean that all the judge advocates who worked out of the Navy Yard know that Gibbs had told Caitlin Todd to ignore his orders, too? Had they been gossiping and laughing about it to their colleagues at other offices. Did everyone at the Naval Yard know that Gibbs didn’t have any faith in his abilities? Was he a big fat JOKE as a federal agent?”

Just as he was about to offer an excuse to get out of the bar, the burgers arrived, and the moment passed, albeit awkwardly.

Wishing a sinkhole could open up and help him disappear, he wondered, idly looking around the bar at the other clientele, if they all knew about how Gibbs really felt about him, too? Was he the talk of DC? No... more likely, he’d be the joke, he corrected himself bitterly. What made him think he was a good cop/agent? Perhaps Gibbs was right about him?
Just as he was thinking that he couldn’t do this, Harm and Mac realised he was merely playing with his food instead of eating it. Calling over a waiter which Tony only realised later must have been a prearranged signal, he arrived with a bottle of moderately expensive champagne and glasses. Welcoming the deflection, he found his nosy gene rubbing its eyes and trying to wake up.

“What are we celebrating, people? Have you two got something to tell me?” Tony insinuated with a waggle of his eyebrows. There were a bunch of betting pools in existence and the pots kept getting bigger by the year. Tony figured they must be huge by this point re the age-old question of when Harm and Mac would finally realise or stop deluding themselves about what was so plain to everyone else and get engaged.

Although there had been a couple of close calls, Mac having been engaged a couple of times, or almost engaged, and Harm having a couple of serious relationships, none of the partners had made it past the fact that the two JAs were like a pair of Siamese twins, practically joined at the hip. Oh, sure they had differences, but their differences were just enough to make it not married to your brother/sister/clone creepiness, but our differences-make-us-mirror-images-and-therefore-we-complemented-each-other sort of way.

Well, that was the prevailing wisdom around the watercoolers at JAG and NCIS. Tony wouldn’t know about them being perfect for each other – the woman he fell head over heels for and wanted to settle down with, have a home, kids and a dog, had left him the night before his wedding, without an explanation. He figured when it came to relationships, he was a hopeless cause, so he never deigned to hand out advice.

Still, he couldn’t help teasing them both just a little.

Swapping inscrutable looks, Harm finally answered, “We are talking about your promotion, Tony. Congratulations.”

Mac smiled. “Yes, congratulations, DiNozzo.” Passing him a glass and one to Harm, she raised her own glass, although Tony noticed that it wasn’t champagne in her glass. She saw him looking and proffered the information serenely, “Non-alcoholic cider.”

He nodded. Mac made no secret of her alcoholism.

She raised her glass. “I propose a toast – to the new supervisory senior agent of the Major Case Response Team. May we have a long and fruitful collaboration together to ensure that justice is
carried out.”

“And seen to be carried out,” Harm amended. “I’ll second that. To an exceptional agent. Cheers!”

Tony tried to smile, but it ended up being more of a wince or maybe a smince if you were into the whole portmanteau word thingy.

“As much as I appreciate the sentiment guys, it’s only temporary. Just until Gibbs gets his shit together.”

Mac pulled a face, “Oh well in that case, it will happen...never. In Gibbs’ warped perspective, if he ever gets his shit together, he’ll see that as an admission that he was wrong...and if he was wrong then TPTB were right. Well rule 5 and all. Gibbs will view backing down and following orders as an admission of weakness and that will never happen.

“So, looks like you’re it for the foreseeable future. You know, Tony, most people when they get a promotion think it’s a good thing,” she teased gently, seeing his glum expression.

“You’re kinda acting like it’s a punishment instead of a reward,” Harm observed quizzically. “Aren’t you pleased about getting it?”

Maybe because it is punishment! “Not the way it’s happened, Harm. Gibbs was supposed to retire in a few years, not get demoted. He was going to hand the team over to me and go sun himself down on some beach in Mexico, after he’d sail his boat down there. If I’d earned the promotion, I might feel different, but I got it by default because everyone knows I don’t deserve this.” Hell, even they know that Gibbs thought I was incompetent, so why me?

“What a crock, DiNozzo!” Harm retorted. “We know you’re a gifted investigator. The JAs that you work with know you’ll cross every T and dot every single I before the case is handed over to us. We know that any search warrants you obtain will be legit and you will execute them according to the law.”

Mac nodded emphatically.

“We know that when you have to testify that you will keep it simple and clear and you won’t let anyone trip you up or make you appear to be an arrogant SOB,” Harm stated. Not like Gibbs
remained unspoken but understood by all three officers of the court. They all conceded that some jurors loved him, but an equal number loathed the former Marine.

“What he just said,” Mac pointed a well-manicured nail at Harm. “And in addition to the PDs and departments you’ve worked in, you’ve also worked on the major case response team for almost three years, much of it working solo with Gibbs. That surely qualifies you for sainthood in my books. I’m a damned Marine and I sure as hell couldn’t do it.”

Sarah shook her head and gave him a nudge with her shoulder before continuing to bolster his spirits.

“I also know that your closure rate when you were in homicide mirrors that of the MCRT, so I don’t see as how you think you haven’t earned it. You have!”

Tony stared at the riled up Marine colonel, recalling the meeting with Director Morrow earlier that afternoon:

_I’m sorry to do this to you, Agent DiNozzo, but as of tomorrow you will be taking over the MCRT as Acting Supervisory Agent. For the next couple of weeks, I’m afraid that will be a somewhat empty promotion since Agent Gibbs has been suspended for two weeks. That’s in addition to being demoted to senior field agent, as I told you about at the start of the meeting._

“In addition, if Probationary Agent Todd decides to accept the conditions of her continued employment, which include the disciplinary action of attending investigator training at FLETC, then she will not be available to work on the MCRT for the immediate future. So, for the next two weeks, you can either work solo or Agent Balboa has offered to lend you his junior agent. Which would you prefer?”

Tony replied without even having to think about it. “I’d prefer to work with Agent Ishida if Balboa can spare her, Sir.” Being kidnapped by a deranged female intend on avenging the death of her friends by killing Marines who’d tried smuggling them to the US from the Philippines (except that they died of dehydration and starvation) and nearly sharing the same fate, made the decision a no-brainer.

Tony preferred to have someone competent watching his back and Kerry Ishida was both competent and followed orders. Bonus. That would make for a pleasant change.

Tom nodded, pleased. “Good, I’ll organise that.” He made a note on his computer.
“Now, I wish I could give you a new team to lead, but confidentially, there is no one else who can or will take Gibbs as their SFA, so I’m afraid you’ll have to deal with him. He’s going to have to start respecting the chain of command or else he will never lead his own team again. If he is being uncooperative, then I want to know right away.”

The director must have seen his reluctance and called him on it. “Agent Gibbs was demoted not just because he failed to properly supervise Agent Todd, a rookie. He is also being disciplined because he created a toxic environment on the team that made it impossible for you to carry out all your duties as senior field agent, including helping to train and supervise Todd.

“Until he gets his shit together, he is not going to have his rank reinstated. In fact, if he doesn’t get his act together, the next step he’ll take will be right out the door.”

Morrow leaned back in his chair and regarded DiNozzo seriously.

“Tony, I believe in your ability to lead the team. You’ve done well whenever you’ve filled in for Agent Gibbs in the past and excelled when you filled in for Reese Williams in his absence. You’re very innovative – Agent Reese’s team were very enthusiastic about your group campfires.”

Tony had snorted. “Maybe, Director but that is a far cry from expecting me to lead a team with Gibbs as SFA.”

Morrow bowed his head in acknowledgement. “I know I’m asking a lot, Agent DiNozzo. But you are a creative problem solver which is why you’ve managed to work with Agent Gibbs so successfully. Don’t try to copy him, do things your way.”

Tony had looked at him incredulously. “You’re kidding. He’ll hate that!”

“Yes, but even if you try to do things his way, he’ll hate it anyway, so you might as well be yourself. I’m sure there’s a lot of things you’ve thought could be done better – now’s your chance to give it a go. Think of it as compensation for having to have Gibbs as your senior field agent.”
Even now, Tony thought the director was crazy, but orders were orders. He could suck it up or he could resign. Since he felt he’d failed to train Cate, resigning was taking the easy way out. So that left sucking it up and leading the team until Gibbs regained his position.

“There’s another issue re the team which I want to discuss with you. You may or may not know that Gibbs was considering taking Special Agent McGee on as a probie in the next few months. Since I’ve extended Agent Todd’s probationary period for at least another 12 months, possibly longer, I’m not prepared to assign him to the MCRT.”

Tony chuckled mirthlessly – a far cry from his normal good humour. “Abby Sciuto is not going to be happy about that, Sir. She’s been nagging at Gibbs for a while now about him coming to work on the MCRT.”

Tom shook his head. “I’m aware of the water cooler gossip that has them as an item, Tony. But even though he’s not going to be joining your team, there is probably going to be a slot opening up here at the Navy Yard, so she’ll still get to see him as often as if he was on the MCRT.”

Real chuckles bubbled up – Tom could tell the difference since Tony’s eyes were dancing with mischief. “Ah, but she doesn’t want to see him more often, Sir. She wanted him on the MCRT because of Rule 12.” When Morrow still looked bemused, he supplied more data. “Gibbs’ Rule 12 – never date a co-worker.”

Frowning, the director nodded. “I’m aware of Gibbs’ Rule 12, Tony, and you do know that there is nothing in the regs against co-workers dating? The only exception is when it is a supervisor, they are forbidden to have a relationship with someone who is a subordinate. But that aside, I don’t understand why Abby would want her boyfriend on Gibbs’ team because of Rule 12? If McGee had been assigned to the team, he would have had to...” Breaking off, he looked gobsmacked. “Oh, wow, sneaky...”

“Exactly. Abby is getting antsy because McGee is becoming serious about them. Meet his parents and sister serious. Dr. Sciuto is not a big fan of commitment and tires of guys relatively quickly. But Abby thinks McGee is sensitive and won’t handle it if she tells him to take a hike. She’s looking for a good time, not a long time. If he’s on Gibbs’ team, then McGee will be forced to break up with her.”

Chuckling with amusement, he winked. “Gottcha! Well, she’s going to have to find some other way to manage her affairs.”

Tony just hoped that Abby didn’t blame him for McGee getting assigned to another team. She was going be pissed when she heard about Gibbs’ demotion and suspension – not to mention Cate’s
mandatory sojourn at FLETC. And he needed to have her on his side for once.

Tom, oblivious to the thoughts going through Tony’s head, pressed on with the next point. “So, I wanted to talk about another option now that McGee won’t be coming aboard in the immediate future. You can either decide to keep the MCRT to the three existing team members or I can assign you a junior agent.

“Agent Balboa has offered to give up Ishida if you would like her to join the team. She’s a whiz with anything computer related by the way, and he said he’d take McGee. His probationary agent isn’t officially a probie anymore. For what it’s worth, I think that it might do Todd good to have a junior agent above her in the pecking order on the team should she return.”

Pursing his lips, he confided, “From what happened when she took it upon herself to delegate McGee to check out Corporal McClain’s alibi, if McGee were to join the MCRT, I think she would not be a good influence, nor is Gibbs for that matter. Balboa will give him a much better chance to develop and remain on the straight and narrow.

Correctly identifying Tony’s expression, he spoke up. “That isn’t a slur on your ability to train him, Tony. Rather it’s recognition that you’re going to have your hands full with that pair.”

“No, I understand, Director. Rule 45!”

The director quirked an eyebrow at him. “I’m not familiar with that one, I’m afraid.”

“Always clean up your own messes. This is my fault because I didn’t stop Gibbs. So, it’s only fair that I get to sort it out.”

Director Morrow frowned. “This is not your fault – if anyone is to blame, that would be me. Plus, Gibbs. He’s a former Marine and he knows about chain of command. Don’t forget that Todd was a team leader at the Secret Service. So, she damned well knows about the importance of chain of command, too, and not to ignore it. There is no place for misplaced guilt here.

“What I meant was that there isn’t anyone else who I can get to lead the team who is capable of overseeing the type of cases that the MCRT get assigned who isn’t afraid of Gibbs and will stand up to him. But I’m sorry to ask you to deal with his crap – I wish I could say he will take his disciplinary action gracefully.” He looked regretful as he said, “But you and I both know he’s going to be an absolute prick about the changes.”
Tony smiled slightly. Not that he felt like smiling, but he didn’t wish to make the director feel worse than he already did. “A leopard can’t change its spots,” he agreed.

Morrow started and looked at him. “Yes... well, Gibbs is not a leopard or a grizzly bear with a sore head and if he doesn’t shape up, he can ship out. I’ve already told him that – and the only reason I decided not to bust him back to a junior or probationary agent was because I wanted him to remember first-hand what a critical role a senior field agent performs and how much he disrespected you and your position.”

“Anyway, take a couple of days, get to know Kerry Ishida and then let me know if you want her to join the team or not. You could try talking to the other SSAs get their thoughts on the pros and cons of having a fourth. And Agents Balboa, Williams, Dawes, and Ericson have offered to mentor you, get you up to speed on the finer points of the job, including the administrative side, and just to support you when the going gets tough. And it will with that pair. But remember, if they aren’t pulling their weight – I want to know about it, so I can support you, too.”

He paused and looked searchingly at Tony, who nodded dutifully as he said, “Message received, Director.”

Looking less than happy, Morrow sighed and seemed to come to a decision. “So, is now a good time to give me a SitRep on your investigation into Master Sergeant Rafael?”

As Tony realised that there was an uncomfortable silence at the table and Mac and Harm were looking at him with concern, he noted that he’d been wool-gathering, probably for a while. He smiled at his companions, one of his fake smiles that was all teeth but never reached his eyes (which remained bleak and hard).

“Sorry, I didn’t catch that last bit you said,” he stalled expertly. He was good at deflection after all.

“I said that I know that your closure rate when you were in homicide at Baltimore mirrors that of the MCRT, so I don’t see as how you think you haven’t earned it. You have!” Mac repeated what she had told him over five minutes previously.

Tony wiggled his eyebrows suggestively. “Why, Sarah, have you been checking up on me?” he flirted automatically since they all knew that it was SOP when they were using an agent to give evidence at a trial to make sure they were honest and trustworthy.
“Damned straight!” she shot back without missing a beat.

After making a token effort to finish his burger and failing rather spectacularly, he made excuses to go home soon after. Pleading that he’d had a hellish-long day and he needed to be up early to go through Rafael’s phone records, which he would obtain in the morning. Plus, he had a TAD agent to get settled in and brought up to speed.

Making his departure with promises to let them know if he found something, he disappeared into the throng of bodies, drinking, socialising, celebrating a win, or commiserating a lost case. Tony decided that next time they met for drinks, he’d suggest the bar.

Somewhere quieter, less crowded, maybe some live music.

~o0o~

Mac watched him disappear into the seething crowd of mostly revellers and turned to her partner. “Do you think we are doing the right thing leaving the investigation to DiNozzo?”

Harm said, “Absolutely. He’s a top-notch investigator and just as stubborn as Gibbs but, unlike Jethro, he won’t cut legal corners to solve the case. He’s by the book when it comes down to nailing someone,” he tried to reassure his partner.

“I thought you told me he thought outside the box, Harm?”

“Yep, and he does. Think that’s what pisses off Gibbs so much that he is a by the book kind of agent and he thinks outside the box when he is looking for connections during an investigation. His mind sees correlations and relationships where no one else can. BUT when it comes to gathering evidence, he is meticulous. I honestly think he is our best shot at discovering if Rafael has been stealing and selling military weapons, Mac,” Harm said earnestly.

“Good, because it makes me sick to my stomach that he might get away with it. He’s a disgrace to the Corps and I want him gone,” Mac stated emphatically. “I want him in Fort Leavenworth, but I’d settle for a DD if that is the only option.”
Harm nodded, understanding that Marines held themselves to a higher standard and when someone betrayed that standard, they were particularly unforgiving.

Switching topics, Mac asked her partner. “Do you think DiNozzo is alright?”

Harm thought carefully. “I think he hates to lose a case as much as you do, Mac. Yeah, he takes it to heart, but he won’t let it interfere with the investigation, if that’s what you’re worried about. He’s a professional... like us.”

“No, I wasn’t. I’m thinking that it will be nice to have the MCRT not screw up cases because Gibbs is too damned arrogant to follow rules (apart from his own) and because he has a rookie investigator that barely knows her ass from her nose, but thinks she’s God’s gift to the world. But I’m just worried that Tony’s promotion is going to be a Pyrrhic victory given that the composition of the team.”

Harm considered her statement before replying. “I’d have expected him to be over the moon about his new job.”

Mac stared at him. “Really? Try putting yourself in his shoes; it’s like he’s been given the poison chalice to drink from. A new command - having his demoted former superior as his 2IC and a former Secret Service agent and team leader who knows squat about investigating crime and has nothing but scorn for Tony?”

“So, what are you thinking, Mac, that they’re trying to set him up to fail?”

“Gibbs should have at the very least been transferred to another team,” she said critically.

“Bud reckoned none of the other team leads would permit him within forty feet of their teams,” Harm reminded her of the gossip that had been rife, even at JAG, Falls Creek, Virginia.

“So? They should have taken him out of the field - given him a desk job. He’s getting close to mandatory retirement, anyway,” she maintained callously.

Harm shook his head. “Don’t you remember what Webb said about him? That if they tried to give him a desk job, Gibbs would retire.”
Mac shrugged. “And that would be a bad thing because?”

It was her partner’s turn to shrug his shoulders. “Well, until this last ten months or so, he has done good work for NCIS. It’s lately he’s gone off the rails and let mistakes creep in.” Seeing Mac’s expression, he amended his statement hurriedly. “Okay, he’s screwed the pooch massively on a bunch of high profile cases. “

Mac nodded. She’d lost several cases she was prosecuting thanks to him taking short cuts to solve a case. Most people felt it was because Gibbs was too busy sleeping with Caitlin Todd, who he sure let get away with insubordination and incompetence. Giving credence to him having a sexual relationship with his probationary agent, observers were quick to compare the female agent’s multiple fuck ups since her hiring with the previous female agent, Vivian Blackadder.

She’d made one error, albeit a serious one, and was unceremoniously booted off the MCRT by Gibbs who was reportedly furious she’d messed up his takedown. But Todd had easily trumped Blackadder’s fiasco in Rota many times over and yet she was still there. Why?

Plus, Mac couldn’t help but think about the old maxim, ‘People in glass houses shouldn’t throw stones.’ The gunny had made some huge faux pas of his own this year, so it was easy to feel sorry for the luckless Blackadder. She’d definitely gotten a rough deal from Gibbs. Hardly surprising then that people thought Gibbs was sleeping with Caitlin Todd.

Oblivious to Mac’s musings on Gibbs’ unfathomable behaviour, Harm interrupted her thoughts, “As to why it would be a bad thing if he retired, I suspect that the CIA or another even more shadowy, shady alphabet would love to recruit him for black ops. SecNav and the JCOS probably don’t want to lose him in case they need him at some point in the future to do their black ops. So, they can’t afford to pull him from the field.”

The Marine colonel grimaced. She hated politics.

Missing Scene # 5 [This takes place the next day after Tony, Mac and Harm have their tête-à-tête at the bar.]

“So, what’s your end game, Tom?” General Creswell, Judge Advocate General, asked bluntly.

Morrow had called the JAG to formally notify him of the new investigation into Master Sergeant Rafael and his cohorts and the arms trafficking activities. Creswell had been very enthusiastic,
although cautioned against leaving themselves open to charges of harassment. Tom had reassured
him that Joe Landers was overseeing the investigation and DiNozzo had been given point. With his
background in law enforcement, the former cop was painfully aware of the consequences of them
stepping over the line with this subsequent investigation.

The director had then discussed the demotion and disciplinary action taken against the MCRT due to
the debacle resulting in the charges against Rafael being dropped on a technicality. It had prompted
Creswell’s question.

“End game?” Morrow questioned, bemused.

“Do you want Gibbs back in charge? Aren’t you simply setting DiNozzo up to fall flat on his face by
giving him a temporary promotion? Do you really expect him to go back to being Gibbs’ 2IC once
the gunny has served out his sentence?”

Tom frowned. He could see where Creswell was coming from with his rather pointed questioning.
Sure, TPTB were pissed off with Gibbs – which was why they were demanding he be brought to
heel -  he was out of control. It was a real risk that unless he removed his head from his ass, he could
bring down even his most ardent supporters with him. Obviously, that was unacceptable to them,
explaining their fervent desire to see he got one almighty wake-up call and why they’d been on
board with his temporary demotion.

Sighing with exasperation, Morrow thought about the JAG’s very pertinent questions. The truth was
that over the course of his career, Gibbs had collected a lot of markers from some extremely well-
connected people, including a US Senator who’d served in the Marines with him. The rumour
periodically doing the rounds was that Gibbs knew where all the bodies were buried in DC and, to
be honest, Tom had no idea if there was any truth to it or it was merely an urban legend. What the
director did know, though, was that a lot of people in DC had gotten to the top of the heap by
scrambling over the top of people who stood between them and power; DC was definitely a dog eat
dog kinda place.

That fact alone opened people up to cultivate secrets, their own and other peoples’. Not to mention
encouraging everyone to lie, cheat, and be deceitful. Besides, people in power weren’t all that
different from your average Joe when it came to secrets, most people had them or had things that
they didn’t want other people to know about them. Tom was no different – there were things about
him and his family that he wouldn’t want his enemies to know about.

What he did know was that irrespective of Gibbs knowing ‘the secrets’ of powerful people – or not;
those individuals on Capitol Hill in positions of power viewed Gibbs as a useful commodity when
they needed their various messes cleaned up. One thing about Jethro, he wasn’t afraid to get his
hands dirty when he felt it was necessary to get the job done!

Therefore, Gibbs’ cheer squad wanted him someplace where he was easily accessible when they
needed his special skills. Their solution had been to give him the lead of the MCRT when he’d returned from Russia, although the problem with that was Gibbs was allergic to being told what to do and didn’t play nice with others.

Despite the big picture which was that the power brokers wanted to keep their ‘Fixer Upper’ close by, his increasingly unstable behaviour (probably due to the terrorist getting the jump on him) was impacting negatively on them. Thus, they were clamouring for him to be brought under control but NOT shown the door, which was Morrow’s preferred option for a while now (after having to clean up after Gibbs and Todd way too often).

Ultimately, that meant they expected Gibbs’ to resume his role as team lead of the MCRT because if he wasn’t calling the shots, then Jethro was going to throw a huge tantrum and resign. Yeah, that got that right! Gibbs was the epitome of the word control freak – couldn’t cope with not being able to call the shots.

Morrow was perfectly aware that Gibbs’ Cheer Squad (GCS) had directed him to temporarily promote DiNozzo as team lead, cognizant that a) it would be a real slap in the face to Gibbs if he was replaced by his protégé and b) appointing a SSA as team lead (even if it was just temporary) would be so much more difficult reverse.

In principle, Tom agreed with their rationale. It would be way more problematic to reinstate Gibbs if say Balboa had been leading Gibbs’ old team. Of course, that was supposing Balboa would agree to tale on the job with Jethro as his SFA – which he might…when Hell freezes over. No, it was far easier to give a temporary promotion to the team’s SFA, who also idolised Gibbs and would willingly step aside when (if in Tom’s opinion and a big if at that) Gibbs pulled his head out of his ass. The elephant in the room was – and General Creswell had identified it so well – that in order to keep Leroy Jethro Gibbs, NCIS would effectively be sacrificing a valuable resource. There was no way that Tony would be able to return to being Gibbs 2IC after being his boss – and it wasn’t fair to expect it of him, even if he was prepared to attempt it.

He got that the power brokers didn’t give a flying fuck about a young agent like DiNozzo or his career. They would argue that the greater good (doubtless their greater good) required that they have Gibbs’ with his much-vaunted skills set on hand for when it was needed. As far as the political power brokers were concerned, DiNozzo was just another young, albeit gifted, agent who could be easily replaced – in theory.

Morrow knew that the theory was flawed though. DiNozzo was equally as unique an agent as Gibbs; his ability to think laterally and his superior abilities undercover were exceptional. Those two skills alone were reason enough why he should be nurtured by the agency – not thrown to the wolves. Bottom line though, Gibbs’ pals didn’t care that DiNozzo was an outstanding young agent, only that they had a pet assassin in their backyard who could clean-up the shit they made when needed.
Truth to tell, Morrow wasn’t altogether sure if their investigative wunderkind wasn’t already too compromised by all of Gibbs’ psychological mind games this year, undermining of DiNozzo’s position whenever he encouraged Todd’s insubordination and disrespect. He hoped not. DiNozzo was resilient and forgiving. Far too forgiving in his humble opinion and one day he would ask Nate Getz to explain why that was, but not today.

Sighing, Morrow considered the situation. While his smackdown of Gibbs had been highly satisfying, especially knowing that no one was going to lift a finger to prevent Jethro’s suspension or temporary demotion, the euphoria he’d been riding since their confrontation had faded. Yes, he’d finally been able to make him come to heel but Jethro was such an alpha personality that Tom knew that it probably wouldn’t be enough deterrent to stop him ignoring procedure in the future. Nevertheless, for once he’d come out on top and he needed to relish his rare win even if the war was still ongoing.

The various power brokers who signed off on the agency’s funding or who had friends who were in a position to do so had made their wishes plain and Morrow had been given his instructions. ‘Pull the gunny into line (and do it fast), but ultimately give him back his former rank.’

Even so, Morrow wasn’t above performing some fancy footwork of his own; following orders but still pursuing his own agenda.

Instead of responding to Biff Creswell’s series of pointed digs, because that would be extremely foolish, even if Biff wasn’t one of Gibbs’ supporters, he changed the subject.

“You’ve perused Agent Gibbs’ jacket?” Tom asked him, knowing that JAG would also have access to his psychological profile since Jethro regularly gave evidence. “Any insights as a CO and fellow Marine into his leadership style?”

Creswell was momentarily silenced at the non-sequitur coming at him out of left field. “He’s shite!” he joked irreverently before noting the director’s intense silence over the phone line and sighed deeply as he considered the question properly.

“Gibbs is one paranoid sonofabitch and a lone wolf. His people-skills are mostly non-existent, and he lacks empathy or patience in social settings. As I’m sure you’re already aware, the gunny is an obsessive bastard – prone to bouts of the most extreme target fixation I’ve ever seen, and that’s saying something. So, let me ask you, does that sound like someone who has the temperament to be leading and training others?” he demanded gruffly.
“Given those particular personality traits, I personally don’t think it’s a coincidence that the role Gibbs truly excelled at when he was in the Corps was as a special ops sniper, which is a solitary occupation. At the most, he was required to interact with a spotter. That’s not the profile of someone that I’d want supervising young agents. In my opinion, it’s the profile of someone uniquely suited to working as a solo agent in a field office or as an agent afloat, policing a shipload full of jarheads and squids.”

Morrow sighed. It was most illuminating to hear the general’s assessment of his fellow Marine’s abilities, particularly his suggestion for appropriate deployment options too. It also gelled neatly with Jethro’s previous Black Ops history in NCIS where he excelled as both a spy and assassin; tasks imminently suited to a paranoid, asocial lone wolf type.

Creswell’s suggestions about how Jethro would be best utilised by the agency resonated with Morrow. Alas, his current orders to make sure that Gibbs stayed in DC and at the agency, weren’t exactly compatible with Creswell’s suggestions. Damn it!

Still, Tom had a secret weapon up his sleeve and, fingers crossed, it would work. Yeah, okay, so he’d always been a glass half full kind of guy – but it was better than being a bad-tempered pessimist. At least for those people around him.

He had to give credit to NCIS’ operational psychologist, Nate Getz, for giving him the idea in the first place, even if he’d never know it. Hopefully if it worked, it would give him a chance to fix this mess once and for all. Although back when they were chewing the fat re leaders, Tom was merely curious about what had gone so massively wrong between Gibbs and DiNozzo after he hired an ex-secret service agent for the MCRT out of the blue. Prior to that, Gibbs and DiNozzo used to work together seamlessly and Tom had been making himself crazy trying to figure out why it had fallen apart.

Getz had been in DC, conducting special training sessions with their counter intelligence teams and intelligence analysts. Desperate for answers and knowing he was in town, Morrow sent him Gibbs’ personnel file and files on the MCRT for him to study. It wasn’t that unusual; periodically, Nate was asked to evaluate NCIS personnel, especially when they were struggling. Morrow found him to be very insightful and down to earth. He was easy to talk to but, unfortunately, he tended to be kept busy dealing with the undercover and special ops teams.

“Okay, so give me your take on the management skills of Special Agent Gibbs,” Tom had asked Getz after both men had settled in with a cup of the director’s good coffee.
After considering the question carefully, Nate answered briefly, “I’d classify him as an authoritarian leader, also known as an autocratic leader. Well, if you want to buy into leadership as a purely dichotomic taxonomy,” he said slowly. Morrow felt as if Nate was sizing him up, probably wondering what he was looking for.

At that stage, Morrow wasn’t sure what he was looking for except to figure out what had gone wrong with the MCRT, but even if he did have a specific agenda, he’d learned not to reveal too much information. People had a habit of telling him what they thought he wanted to hear because he was sitting in the big chair.

“You’re talking about authoritarian versus authoritative leaders?” Tom asked the psychologist, checking to make sure he understood him.

Nate regarded him before nodding. “Yep!”

Leaning back in his office chair and sipping his coffee, he regarded Getz gravely. “You don’t like the autocratic/versus authoritative distinction, Nate?”

Nate stared out Morrow’s office window contemplatively, before finally responding. “I just find it a rather simplistic model, but it has its place in a discussion about leadership styles,” he conceded grudgingly.

Tom settled in for what he hoped would be a fruitful conversation. “Okay, so let’s have a discussion about leadership, shall we, Doctor?”

Getz acquiesced readily enough. “Fine, let’s do that!” he replied, standing up and walking over to the coffee pot to refresh their coffee cups before sitting back down again.

He was silent as he gathered his thoughts, the silence broken by sibilant sounds of both men sipping their drinks before he began to speak. “I guess my issue with autocratic/authoritative classification is the same problem which I have with other dichotomic classifications.”

Tom raised one eyebrow, asking for more information.

Nate noted the nonverbal cue and responded. “Ah, well, for instance, anal retentive versus anal expulsive types or the popular personality classification, extrovert versus introvert. People rarely fall
into one discrete category despite the misconceptions perpetuated by pop culture.” The affable psychologist appeared to be getting unusually animated and he took a deep breath.

“Pigeon-holing people is a convenient heuristic and we all do it to some degree, but my problem with it is that there are very few people who are so black or white as to fit into such limited and limiting categories. Most of us are shades of grey and the spectrum ranges from almost black to almost white and every combination in between – with lots of people clustered around the middle of the spectrum.”

Tom nodded. “Makes sense.”

Nate absently traced invisible patterns across the conference table, deep in thought. “The problem with most dichotomic classification systems is that it’s also too easy to fall into using it as a crude classification of good and bad which is simplistic. While most experts would agree that in general, authoritative leaders are more effective, autocratic leadership can be more successful in some highly specific but limited situations.”

The director nodded his understanding. “When you’re out in the field during a firefight, the last thing you need to be worrying about is being open to new ideas, inclusive, or giving out constructive feedback.”

“Yeah, absolutely,” Nate agreed with the director readily. “You definitely need someone to take charge and be decisive and autocratic. You don’t want people standing around arguing about what to do; you want them to follow orders instantaneously.”

Tom nodded seriously. “Agreed.”

“The problem arises when a leader only has an autocratic approach to leading their team.” Getz responded. “The authoritarian style, where one person takes absolute control and makes decisions with little input from the group members has significant limitations. For instance, autocratic leaders make choices based on their own ideas and aren’t known for accepting input or the opinions of others, particularly underlings.”

As Nate was talking, Tom’s thoughts had immediately summoned up an image of Leroy Jethro Gibbs. He recalled hearing the autocratic leadership style summed up as ‘do as I do,’ which was rather paternalistic. Though, when it came to Gibbs, the mantra would surely need amending to ‘do as I say, not as I do.’ The truth was the former Marine expected people to blindly follow his rules while blatantly ignoring them himself if they proved inconvenient.

To Tom, it was the height of arrogance – placing yourself above the law – and was partially why he felt that Gibbs wasn’t a suitable team leader for the MCRT. His attitude generated a lot of ill will
from LEO’s and the other alphabets. Putting yourself above the rules, imposing your own rules, insisting your team follow them to the letter, ignoring them yourself when you couldn’t be bothered. How narcissistic was that?

Meanwhile Nate had continued talking, “As we agreed, while autocratic leadership during a crisis can result in goals being reached, people who are always autocratic are often seen as dictatorial, cold, and bossy. Long term, leaders who are only authoritarian cause discontent and resentment among group members.

“Authoritarian leadership stifles individual being able to develop as they aren’t given a chance to mature and grow nurture nascent abilities. It can often lead to people feeling undervalued and not trusted. The members feel like they can’t contribute ideas/opinions and feel their knowledge and expertise is overlooked. Ultimately,” Getz concluded gravely, “that leads to a lack of creative problem solving, which comes back and bites the team or organisation on the butt. Big time.”

Morrow pursed his lips before taking another hit of coffee. “But there was a time when people considered an authoritarian style was essential to be an effective leader.”

“Or an effective parent,” Nate agreed.

“I’m guessing that the majority of experts now deem an authoritative leadership style as best?” Morrow used air quotes around the term experts.

Nate nodded, briefly smirking. “Pretty much! Authoritative leaders steer the group or team toward common goals, managing to engage and energise team members along the way. Yes, they lead, but still give people a degree of autonomy or control too. With their ‘come with me’ style of leading, they’re willing to participate and aren’t afraid to get their hands dirty.”

The psychologist frowned, staring down at his fingernails which were immaculately manicured apart from one ragged nail which seemed to be annoying him. He rubbed it absentmindedly before continuing to speak.

“Authoritative leaders will see situations as opportunities to learn and to share knowledge with their team and unlike autocratic leaders, whose expectation is ‘do what I tell you to do because I said so,’ authoritative leaders explain why. They revel in the team’s competence and achievements rather than focusing on failures or playing the blame game. They inspire creativity, enthusiasm, and an entrepreneurial spirit in their people.”

Morrow considered the brief yet succinct information that Nate had shared and couldn’t help but compare it to the agent who was the bane of his existence - one Leroy Jethro Gibbs. He was the epitome of an autocratic team leader. He also couldn’t help but contrast him to his protégé, Anthony DiNozzo, who had many of the qualities of an authoritative leader.

How ironic that they should both be on the same team together and he wondered how long it would take before Gibbs managed to extinguish DiNozzo’s creativity and enthusiasm. He was already beginning to second guess himself.

Nate was still holding forth on the subject – clearly it was something he’d spent a lot of time considering. “Leadership can and should be situational, depending on what the team needs,” the agency’s operational psychologist declared forcefully. “Needs are fluid. Sometimes a teammate needs empathy or even just a hug or waterproof shoulder to cry on when something goes wrong. Sometimes the team needs someone with vision to lead, or perhaps a new style of coaching, someone to demonstrate the way forward or even, on rare occasions when the shit hits the fan, to be an autocratic asshole.
“For that reason, great leaders choose their leadership style like a carpenter picks the right tool for the job. They don’t just pick one tool and expect to use it for every situation. They use a hammer to drive in nails, but they don’t try to use it to screw in nails, undo bolts or saw a piece of wood in two. Sure, the hammer might do the job at a pinch if you apply enough force and you didn’t care about the damage it caused, but it was nowhere near as effectively as a screwdriver, a spanner or a saw to cut wood. The right tool for the job will always work much better and not cause harm, either.”

Tom snorted, trying not to laugh. Getz might be speaking about leadership styles generally, but he had a vivid mental image of Gibbs – wielding a giant hammer through a bunch of law enforcement agencies not to mention NCIS and his team. Determined to get the job done as quickly as possible and damn the consequences to the group. His was the proverbial square peg in a round hole approach, favoured by toddlers the world over – the if it won’t fit, hit it harder method and make it fit method.

Nate had looked at him curiously, no doubt due to the snort although his facial contortions or as Ducky called it – gurning - could have contributed too.

Their discussion had certainly given Tom a lot of food for thought. It was clear that Gibbs and DiNozzo’s leadership styles were diametrically opposed to each other and how ironic was that. Obviously as director he’d read DiNozzo’s psychological profile plus the exhaustive background check that Gibbs had Chris Pacci carry out before he was hired. So, it was also pretty obvious that there were some factors that made him uniquely suited to being able to work on Gibbs’ team, even if it wasn’t in his best interests psychologically, especially on a long-term basis.

And sidebar, Tom wondered why Jethro had decided it had necessary to run a full background check on DiNozzo which included talking to people who had known him as a child. Yet why hadn’t he bothered running the same investigation on Todd before he offered her a job. People might say that Gibbs’ knew that anyone on the presidential protection team would already have had an exhaustive security and background check done before gaining such an important role, although Morrow doubted it. Jethro was usually pretty scathing of other law enforcement agencies and their work product, believing that no one reached his impossibly high standards. Come to think about it, Jethro had been pretty contemptuous of the Secret Service during their investigation on Air Force One.

Knowing how Machiavellian Jethro could be (he carried out Black Ops after all), Tom couldn’t help wondering if Gibbs felt knowing highly intimate details about Tony’s childhood would make him easier to control. Why else would he want to know highly embarrassing childhood details of DiNozzo’s father forcing his young son to carry around a bucket of shit and being nicknamed the Poo-Boy by a bunch of middle-aged losers playing dress up? Why dig up details of him being targeted by bullies in numerous boarding schools he’d attended after his mother died when he was eight, including hoisting him up a flagpole in his underwear? (God, but kids could be cruel rotten little bastards!)

Come on, why would Gibbs need to know DiNozzo had been disowned aged twelve, forgotten for days in a Hawaiian hotel or had been beaten within an inch of his life when he made his own Halloween costume to go trick or treating? While all that information might or might not be pertinent to NCIS to determine his security clearance, Gibbs didn’t get to determine that. Bottom line, his team leader having so many highly personal details about one of his team members was a huge invasion of privacy. He bet Gibbs would hate his team knowing all his dirty little secrets about his own childhood – hell, he was a closed mouth bastard, even when it came to what he did on his down time. Yet Jethro felt like he had every right to know all DiNozzo’s most embarrassing secrets.

Morrow hated the cynical direction his mind was headed in, yet seeing how effectively, how utterly ruthlessly Gibbs had been isolating DiNozzo since Todd had joined the team, it was hard not to.
Tom suspected that while the rational side of Gibbs saw him as his protégé – his heir apparent - the apex predator side of Jethro saw DiNozzo as a natural competitor to his position and took action to undermine him. By knowing so much about his vulnerabilities it made it that much easier to make him impotent so he was less threatening.

He and Nate had continued their discussion over a heap more coffee, eventually switching to a glass of Tom’s single malt scotch. Nate recommended that Tom read a new book on leadership which he found useful called Primal Leadership by Daniel Goleman, Richard Boyatzis, and Annie McKee. It was based on studying successful managers to understand what leadership qualities were necessary for managers to be effective leaders and Goleman had identified six types which he’d linked to emotional intelligence. These were the commanding/coercive leader, the authoritative leader, affiliative leader, democratic leader, the pacesetting leader, and the coaching leader.

Getz explained that he really liked this model of leadership, feeling it was much more helpful that the dichotomic autocratic/authoritarian model. He went on to suggest that they should develop a seminar based on the six types of leadership styles. Morrow agreed that it would probably be beneficial for all supervisory and management staff to attend so they could better understand and utilise these different styles of leadership. Tom had told Nate to get together a proposal for him to consider, wondering how to get Gibbs to attend.

Finishing the last dregs of his scotch, the director silently acknowledged that even if he was forced to attend, it would be a hollow victory because Gibbs wouldn’t change since he believed he was right and everyone else was wrong.

Anyway... refocusing his thoughts on the present, to wit TPTB’s plan to temporarily promote DiNozzo to acting team leader. Morrow was under no illusions that despite the demotion, Gibbs would try to impose control over the team regardless of his demotion. With Todd as his wingman aiding and abetting the dissing of DiNozzo, the scenario was a train wreck waiting to happen. Fortunately, she would be off at FLETC for several months at least, which would present Morrow with the best opportunity to carry out his evil plan. Fingers crossed!

After reading Goleman’s book - Primal Leadership, Tom concluded that DiNozzo, prior to Jethro’s year-long project of making him irrelevant, had shown a number of leadership qualities including: visionary/authoritative, affiliative, democratic and coaching leadership qualities. Maybe it explained why he and Gibbs were such a good team (or they had been ‘til this year) as his qualities complemented Gibbs coercive/commanding and pacesetting styles of leadership.

Unfortunately, having such an extreme alpha personality as team leader trying to undermine him constantly, didn’t exactly give Tony a lot of opportunities to display coercive/commanding traits, let alone fully take advantage of his strengths either. Which was why Tom had pushed for him to fill in as team leader for Reese Williams when the team leader needed to take family leave.

Morrow had needed to see if DiNozzo was able to lead a team after almost a year of having his authority undermined and his skills essentially mocked. And Tom was relieved to see that he’d stepped up and taken control. The team had caught a murder case and ended up chasing down the killer, quite literally when he tried to evade capture, resulting in a potentially nasty shootout at a neighbourhood park.

It had been the final proof for the director that DiNozzo had what it took to lead the major case response team, particularly if Gibbs wasn’t able to deal with being demoted to second banana status. The former Marine wasn’t exactly celebrated for his flexibility or ability to handle change. Tony was extremely adaptable and pertinently, his leadership style was diametrically opposed to Gibbs’ own style. Particularly if DiNozzo had the mentorship of leaders such as Ric Balboa or Reese Williams
encouraging him to utilise visionary, affiliative, democratic, and coaching traits to lead the major case response team. If DiNozzo could be persuaded to introduce his ‘team campfires’, which were the antithesis of Gibbs’ *do as I say* mentality, he was pretty sure it would be the equivalent to fingernails across a blackboard to the gunny.

Gibbs found it difficult dealing with Tony’s mercurial disposition and eccentric thought processes, resorting to physical discipline to make him conform to what the gunny deemed as ‘appropriate’ behavior for his team. Encouraging DiNozzo to unleash all of his unorthodox ‘Tony-ness’ to lead the team would probably be nothing short of pure torture to the autocratic Marine. Combined with his well-known hatred of anyone else taking point on a case, the director was hoping that Gibbs wouldn’t be able to control his famous temper. If they got lucky, it could push him over the edge and he just might resign.

The truth was that Morrow had long standing plans for the major case response team which had been on hold for a while now. It included the MCRT expanding so it consisted of at least eight agents, perhaps more in the fullness of time. His dream team would comprise of a range of forensic experts, including forensic scientists, financial and cyber experts to collect and analyse the evidence, and several investigative agents to chase up the evidence and leads and interview witnesses and persons of interest.

Initially, he’d envisaged those investigators would be Gibbs and DiNozzo, particularly after they worked together as partners so successfully after Blackadder’s departure. Unfortunately, this year had demonstrated that Gibbs was not a team player. Him leading an expanded MCRT would be a recipe for disaster.

Eventually, if the situation played out the way he hoped and not how TPTB envisaged, he’d have DiNozzo and Balboa as co-leads and field investigators on an expanding major case response team.

Still, there was so much that needed to be done before that was a possibility.

At the moment, it was very much *pie in the sky*.

Time would tell if Morrow’s plan would triumph or things would go back to the status quo.

Missing Scene #6

[This takes place two days after the original tag]

Tony arrived at work, still finding the whole reorganisation of the team to be bizarre, even after three days. It felt really weird with Gibbs being on two weeks’ suspension. He never took time off, even when he was injured. He’d smugly claimed to be so damned healthy that he’d never even had a cold. So, it was little wonder really that the bullpen seemed so freakily empty in his absence. Tony was pretty sure that it wasn’t just him that was finding Gibbs’ empty desk unnatural; other people seemed just as jumpy and out of sorts as he was.

Plus, Cate had been sent back to FLETC, which she’d detest, seeing it as a humiliating loss of face; however, Tony felt like it was absolutely necessary if she was at all serious about being a good
investigator. Although her heart was in the right place, she constantly allowed it to rule her head and couldn’t seem to realise or she couldn’t accept that people lied...people cheated, especially when they did bad things. Unfortunately, she was way too trusting - which was a bad thing when you investigated violent crimes.

Hearing the elevator ping, Tony looked up and watched as a bunch of agents spilled out of the metal cage, Kerry Ishida among them. Balboa had lent his junior agent to Tony temporarily to help him reinvestigate Master Sergeant Rafael and the theft of Marine Corps obsolete weapons. He’d already admitted to being involved in the theft of the weapons along with Corporal McClain and her partner, Master Sergeant Grimm, who’d ended up dead. Grimm’s demise had been the catalyst sparking off the original investigation after determining he’d been killed with a weapon which was supposed to have been destroyed.

Although Rafael had confessed, the confession had been thrown out because Cate had failed to advise him of his Article 31 rights before she began questioning him. As it should have been! After the judge threw out Rafael’s admission of guilt, the case had collapsed for lack of admissible evidence and all hell had broken loose.

Tony snorted, at that understatement of what occurred.

Their whole world was turned upside down as The Powers That Be demanded answers and change. Tony honestly wasn’t sure about how he was supposed to lead the team when Gibbs returned to the team as his senior field agent. The whole situation felt like he’d stepped out of a SG1 mirror into an alternate universe where life at NCIS went on, but everything was slightly askew. Like that episode where Jack O’Neill was the commander of the Stargate and George Hammond was his 2IC and a colonel – bizarro.

Straight up, Leroy Jethro Gibbs was a control freak who (at least this year) had demonstrated that he had to be in charge. Lately, the guy couldn’t even cope with having Tony acting as his second in charge, so he wasn’t sanguine that the swap over was feasible. The ex-cop wasn’t sure what had changed, because there was a time when Gibbs absolutely wasn’t threatened by having Tony do his job as senior field agent. They’d worked together seamlessly, hardly needing words to be able to communicate and work together successfully although those times were long gone.

All Tony knew was that something had drastically changed in Gibbs by the time that Caitlin Todd had joined the MCRT. And it would be simple to blame it all on her – guilt by association, but correlation does not equal causation. As an investigator, Tony was very aware of this fact and besides, it just didn’t add up. Why would Cate’s appearance cause such a dramatic change in his boss?

Sure, he’d heard the speculation that Gibbs and Cate were having an affair, but Tony didn’t really
buy that theory. Yeah, he had seen evidence that Cate was crushing on the boss. He just wasn’t convinced that it was reciprocated. Plus, there was the fact that Gibbs was running around with that mysterious redhead of his with the gorgeous silver convertible that Tony would love to take for a spin. The car... not the red head!

In fact, you could actually argue that Gibbs’ decision to hire Todd was already a sign that something was seriously amiss with the guy (based on the director’s comments when he’d been ripping them all a new one over Rafael), that Cate had left the Secret Service because she was flouting fraternization rules and been caught out. The Gibbs he’d worked with (prior to Cate’s recruitment) didn’t tolerate mediocrity in the people he worked with, nor could he abide people who were stupid.

Risking the POTUS’ security by screwing your colleague was not smart, it left you open to being manipulated or blackmailed. Not to mention that for the proud former Marine who was all about the mission, it demonstrated that self and gratification took precedent over duty – or it should have. Plus, the former secret service agent had profiled the journalist who tried to murder the POTUS and failed to identify him as a potential threat.

To have asked her to join the premier investigative team in spite of such serious failings was inconceivable for someone of Gibbs’ impossibly high standards. And yet... he’d done exactly that.

Sighing as he recognised that he didn’t have time for these doubts and random thoughts right now, Tony could literally feel Ishida’s eagerness to get stuck into the case radiating off the young raven-haired agent. It was good to have a fresh set of eyes on the case and someone who seemed happy to listen to him.

“Morning, Kerry,” he greeted her, smiling at her enthusiasm. “We finally got the records for Rafael, McClain, and Grimm’s phones, thank goodness. Their financial records should also be here before midday.”

Having different service carriers had complicated things, plus they were taking a softly, softly approach, not wanting to tip anyone off that they were still investigating the case. Aside from laying them open to charges of harassment if he was aware of what they were doing, he wanted Rafael to believe that he’d gotten away with murder and stealing weapons. That he’d outfoxed the MCRT.

Agent Ishida nodded. “So, now we go through them and see if we can prove that the theft wasn’t a one off? Let’s get to it.”

Tony chuckled. “Yeah, but don’t only focus on calls between Rafael, McClain, and Grimm. There could be others involved, too, so look for other numbers which are also called regularly. We need to
maintain an open mind,” he explained patiently.

While TPTB were trying to light a fire under them to fix the mess, Tony knew that they had to proceed slowly; they couldn’t afford for there to be another slip up. In one sense, the pressure to obtain a result – that Rafael was guilty – was what had gotten them into this mess in the first place. He was damned well determined to make sure it was done by-the-book this time around.

Okay, so maybe by-the-book was the Tony DiNozzo Think Outside the Box kind of book, but even if he wasn’t conventional, he never ignored the rules. Rules made sure that everyone’s rights were respected because newsflash... cops, feds, juries and yes, even judges, were not infallible nor omnipotent. Mistakes happened, especially when you ignored the law.

Kerry looked at him watchfully, as if considering if she should speak or not.

“Problem?” Tony asked her, deciding to take the bull by the horns.

Ishida shook her head. “Not really. I was just wondering why it took such a long time for us to get the phone and financial records? It doesn’t usually take that long to get hold of them.” She looked at him warily, hoping that she hadn’t overstepped the mark.

Tony was amused, her deference was like a breath of fresh air. “You’re right. Normally, we can get records much quicker, but this is a special situation. Landers, the head of Legal personally handled the subpoenas because it was crucial that every T was crossed and every I dotted correctly after the FUBAR with Rafael’s confession. As the confession was disallowed, we couldn’t use anything from it to make a case against him in the reinvestigation.

“Fortunately, Agent Todd didn’t bother to request Rafael’s phone and bank records before he was charged so it qualifies as new evidence and we can use it to investigate. If we find evidence in the records that he committed additional crimes, we can convict him of those acts. Trouble is that because of the debacle with the confession, a lot of judges didn’t want to touch the subpoenas with a 40-foot barge pole. Took Joe a while to get someone willing to sign off on them... that’s why we had a wait for it.”

Kerry nodded. “Okay... got it, Tony. Guess we need to start going through those records. Should I take phone or bank records?” He stifled a smile – she was practically bouncing with eagerness.

“Phone records please, Kerry, and I’ll trawl through the financial records when they get here.”
His borrowed agent began to examine Rafael’s phone calls, using her considerable computer skills, honed whilst attending Carnegie Mellon University, to speed up the search. While waiting for the financial records to arrive, he turned his attention to checking any deaths, suspicious or otherwise, in the past five years that Rafael had been stationed at Quantico.

Tony felt that Rafael was hiding a lot more than what he’d confessed to – the operation had been logistically too well organised for it to have been a one-off job in his humble opinion. So, now he was working his way through a surprising large number of deceased Marines from the Quantico base and by the time he was done, Tony had zeroed in on five that were hinky, as Abby would say.

The first death was a colleague of Rafael’s who died in a firearms mishap at Quantico five years ago. The second death was Corporal Peter Jenise, Grimm’s previous partner three years ago, before Patricia McClain. He’d committed suicide – supposedly by driving off a cliff. The three other deaths had been accidents – one when a gas bottle exploded when someone in Rafael’s platoon fired up his barbeque and two Marines who’d died in a car crash. Yes, all five deaths had already been investigated, but each one had been viewed as isolated incident, but they had a different context now in which to view them.

Tony would reinvestigate all five deaths again – particularly the suicide of Corporal Jenise. In fact, he would start with the suicide because it was leaping out at him as the dodgiest one.

Taking a trip down to Evidence, he retrieved the closed file for the case and took it into a conference room where he could spread out the evidence to start sorting through it. Normally he’d do this down in Abby’s lab, but she wasn’t handling the fallout from the MCRT’s last investigation too well. As the only one of the team not to have received a sanction, (which was a matter of opinion since he was feeling that making him SSA over Todd and Gibbs was actually the harshest) Tony was having to deal with the brunt of her ire.

Plus, Abbs had a big mouth and couldn’t keep a secret to save her life. So, Tony chose to work in the conference room on the big table.

Perusing the case file, he noted that it was one that Gibbs and Stan Burley had investigated several months before he’d had joined the agency, so he needed to start from scratch and familiarise himself with the case. He would ask Ducky to recheck his autopsy findings – a longshot since he was meticulous although not infallible. Gathering up the autopsy report, DiNozzo noticed it had been written by a Dr. Brian Walsh, an ME who filled in for Ducky when he was on annual leave. Tony felt a spark of hope that something had been missed, since Ducky was usually painstaking. It would make asking Ducky to re-examine the case much less fraught since Ducky was frequently asked to give a second opinion on cases for other agencies and PDs.

Luckily for him, Ducky was not acting like Tony had stabbed Gibbs in the back, so at least he knew that he’d get a fair hearing. He was grateful the ME seemed to realise he’d been put into a difficult situation and was just doing his job, the best way he knew how.
After discussing the need to reinvestigate the corporal’s death, he left Ducky reviewing the autopsy findings of the suicide. Meanwhile, Tony reviewed the rest of the case file. He wasn’t exactly surprised that Corporal Jenise’s father and mother were adamant that their son would never kill himself – that he wasn’t depressed. That was pretty much par for the course in suicides, those who were closest to the deceased, especially parents, were often completely unaware that their loved one was suicidal and refused to believe they would commit suicide.

Interestingly, Peter’s best friend from school had told Gibbs that Peter was preoccupied and seemed worried about something. Tony decided he would start off by trying to find out what the corporal was preoccupied about.

After delivering an update on the case to the director, Tony started locating the corporal’s friends – sticking to civilians to avoid tipping off Rafael that they were nosing around. He knew it was too soon to be sure, but he got that feeling he used to get when someone threw him the football and he started running up the middle of the field towards the goal line. He suspected that they were onto something.

By the time Master Sergeant’s Rafael’s financial records arrived around noon, Ducky had confirmed that there were injuries to Peter Jenise which were not consistent with suicide. He suspected they were due to being beaten prior to him plunging over the cliff.

Tony had also located Jenise’s girlfriend and persuaded her to talk to him. She very reluctantly revealed that Peter had boasted to her several weeks prior to his death about coming into a lot of money and then right before he died had become extremely nervous. Peter had told her literally days before his death not to tell anyone about the money – that it wasn’t safe, and she should forget that he’d ever said anything about it.

In light of what he’d uncovered, Director Morrow was keen to speed up their progress and suggested that Balboa and the remainder of his team help out with the mountains of data analysis that were now accruing. Jenise’s phone and financial records needed to be obtained and examined too. Ric’s senior field agent, Tina Harrison, had accountant qualifications prior to entering law enforcement and knew her way around financial spreadsheets. Tony gratefully handed over the financial records of the Marines, leaving him to start looking for signs that more obsolete weapons had disappeared around the time of Corporal Jenise’s ‘suicide’.

He and Ric had decided to approach the corporal’s parents with the delicate task of asking them to agree to having their son’s body exhumed so Ducky could conduct a second autopsy. Balboa’s youngest agent, Martin Ryan, was assigned to track down a Corporal Mendez who had been assigned to partner Master Sergeant Grimm prior to Jenise working with him. Mendez had left the Corps and was working in his own motorcycle shop somewhere in New Jersey.
Tony was starting to hear the metaphoric roar of the crowd – the sign that he was nearing the line and he was about to score a touchdown.

Two days later, they’d broke the case wide open.

When Ducky finished the second autopsy and ruled Corporal Jenise’s death as murder, Peter’s sister had finally come forward with a journal that he’d entrusted to her care. It contained details of their plans for the theft and sale of decommissioned weapons, implicating himself, Grimm, and Rafael. When her brother died, and his death was ruled a suicide, her parents were devastated. Thinking that he’d been ashamed of what he’d done and decided to take the coward’s way out, she’d decided that revealing that he was intending to traffic stolen weapons would destroy her parents and she’d remained silent.

Now with the cat was out of the bag anyway and Alison Jenise’s realisation that her brother had been murdered, she’d decided to hand over his journal containing details of the shipment. Along with a growing amount of corroborating evidence, that would ensure that Master Sergeant Rafael was charged with murder and weapons trafficking.

This time, the Marine was going down and they didn’t even need a confession to convict him. His downfall was due to good old-fashion investigative work and teamwork!

Working with Ric Balboa’s agents had been illuminating for DiNozzo – a wake-up call of sorts. The team bantered and teased each other and yet they observed the chain-of-command. Moreover, Ric didn’t play the individual team members off against each other, yet they’d gone all out to find enough legitimate evidence to charge Rafael.

As much as Tony admired Gibbs... considered him a mentor who had much to teach him, a part of the ex-detective wished that he was on Balboa’s team instead of Gibbs’ team. Maybe when Gibbs ‘punishment’ was done and the boss had assumed the mantle of leadership once more, he’d look at moving to a new team. Although Tony had filled in as acting SSA when Gibbs was on various missions, he was pragmatic enough to know that after being demoted to SFA, once Gibbs was reinstated, Tony would need to find a new job because their dynamic would be too fucked up to continue working together after the role reversal.

The director had told them all when that there were going to be consequences for the whole team, which was fair enough – there was no ‘I’ in team so they all had to bear responsibility for what had gone wrong. Plus, unlike Mac, he was certain that Gibbs would be reinstated just as soon as TPTB felt like he had gotten the message that he needed to toe the line. If they really didn’t intend to let Gibbs resume his position then they would have brought in another supervisory agent, not give Tony a temporary promotion.
Which left him out in the cold.

Chapter End Notes

Obviously NCIS LA didn’t exist back in 2004 but I’m assuming that Nate Getz would have been around although based on the west coast. *Shrugs* it was easier than writing an OC for one scene.

Re Tom’s vision of a rejigged MCRT - it was based on the following info on MCRT’s on the Naval Criminal Investigative Service website:http://www.ncis.navy.mil/Pages/MCRT.aspx

“The typical MCRT consists of 8-10 people and is led by a designated forensic specialist with advanced training, often including a Master's Degree in Forensic Science. Individual team members have enhanced training in specialties such as crime scene management, photography, scene documentation, latent fingerprint processing, biological and trace evidence detection and collection, and the proper documentation of impression evidence.

There are 27 deployable MCRTs stationed around the world. They respond to death scenes and assist with the investigation of many other high-impact crimes, including sexual and/or aggravated assaults, acts of arson and wrongful destruction, and thefts. MCRT members also help NCIS case agents (Special Agents assigned to lead investigations in the field) by conducting complex searches, attending autopsies, and performing other duties related to their areas of specialized training.

The specialized team approach is key to NCIS’ ability to quickly dispatch people with the necessary skills to detect, preserve, and interpret important details at crime scenes. Case agents especially recognize the value of the MCRT; with a dedicated team of specialists on the scene, they are able to focus on pursuing leads and other time-sensitive aspects of the investigation.”
Chapter Summary

Catlin Todd returns to the major major case response team only to find that the status quo had altered dramatically. If she wants to fit in and continue to contribute she will need to make fundamental changes. But will she?

Chapter Notes

Warnings: I’m aware that the timeline between NCIS and CM may not be totally congruent but let’s just claim a little creative license. I didn’t want to bother coming up with OCs when they were mentioned but not actually appearing. If this is an issue for anyone you know what to do.

Thanks to everyone who took the time to comment. I’m bad at finding time to reply to people but it doesn’t mean I don’t appreciate your thoughts. Thanks to Arress for her Beta skills on this one.

This is the final two deleted scenes in the Split Decision group. I’m attempting to return to keeping these tags more focused. It picks up five months after the last scene ended and examines how the MCRT deals with a case (The Good Wives Club) following Cate’s return.

Lastly, there seemed to be enough people who were interested in reading my old story Betrayals so because the Awesome Arress has proofed this last instalment and prevented me from obsessing over finding all my errors and Aussie-isms I had time to download the story about the infamous gay cowboy incident and tweaked a few things that were a bit fuzzy. I'll start posting it later today in five chapter blocks.

Episode: Split Decision

Title: Pyrrhic Victory - Missing scenes 5- 6

Characters: Tony DiNozzo, Caitlin Todd, Kerry Ishida (OC), Stan Burley. Mentions of various Criminal Minds characters.

0520 28th September 2004

Probationary Agent Caitlin Todd pulled up at the crime scene and finally noticed that in her hurry to get to the crime scene on time, she’d grabbed her brown leather boots instead of her black ones to wear with her charcoal grey business suit. She remembered when she’d turned up to her first official crime scene after being hired by NCIS in a skirt and a pair of high heeled shoes one year ago. Gibbs
had cast a disdainful glance at her $300 pair of heels and issued her with a set of distinctly unglamorous military-style boots, a new NCIS cap and jacket and ordered her to don them then get to work.

Cate had learned that practical dressing for crimes scenes, which included trousers and sensible footwear, was a must, or at the very least, keeping a change of clothes in her go-bag for when she had to process crime scenes was essential. Still, looking at her footwear, she consoled herself that at least her boots had practical heels on them and were comfortable, even if they didn’t match her suit. Knowing that she’d be in line for some serious ribbing over her faux pas, she shrugged, resigned to just sucking it up and getting on with her job.

Back only a few weeks, Cate couldn’t afford to be attracting negative attention. TPTB had already made her jump through a whole bunch of hoops before they’d let her resume her place on the MCRT. No way was she going to risk losing that hard-won place by losing her temper because she reacted to DiNozzo’s hazing over a pair of boots. Even if they were fabulous, handmade, and Italian!

Tony noted her arrival and hurried towards her, taking in her appearance almost automatically. Although she was almost certain he noticed her fashion disaster due to the imperceptible crinkling of his eyes, she was somewhat shocked when he failed to make any snide comments. It rankled that he’d noticed when she was trying so hard not to give him any ammunition to unfairly pick on her. Honestly, it sucked to have a ‘boss’ that was probably more knowledgeable about fashion labels than she was. Though she still thought it was further proof he was a closeted gay, she stomped on the thought swiftly.

It had been a hard slog, what between attending crime investigative classes at FLETC, mandatory counselling and sensitivity crapola (still ongoing, drat the director), and her profiling and there had been hiccups along the way. She was painfully aware that her continued employment at NCIS was tenuous at best and she couldn’t afford to put a foot wrong. In the five months since she’d had her probationary status extended, which started only once she was back at work, many things were different. Cate was very aware that she couldn’t expect to get away with the most minor of infractions without it costing her the job and any further chance to work in law enforcement.

It was funny, she’d only worked as an investigator for less than a year when the doo doo had hit the fan and she’d been forced back to FLETC, which had been incredibly mortifying for an agent of her seniority. Aside from the humiliation, Cate had discovered that she really missed investigating crimes. Having taken so many months to be able to return to field work, she was beyond desperate not to blow her last chance to be a fully-fledged investigator. Which was why she was prepared to suck it up and work with DiNozzo despite the man’s sexual degeneracy.

So, while she was surprised that he failed to make mileage out of her fashion catastrophe, she was grateful that he had kept his big mouth shut. To be honest, he’d had been much less keen to engage with her verbally since her return to the MCRT. He seemed more standoffish with her, although he was far less reserved with the others the team.

He’d changed – less anxious to please, and not interested in responding to her snarky verbal attacks disguised as teasing or jokes. It was disconcerting to be honest and not only because he was now the team leader and she was still a probationary agent and would be for another year.

As the other members of the team joined them, DiNozzo swiftly gave them a brief rundown of what was known. “

“Okay, so a work crew was demolishing abandoned military housing on base and a front-end loader uncovered a deep hole at least seven or eight feet down. The foreman called a halt to work so he could investigate the space and got the fright of his life when he shined a flashlight into the hole.
There seems to be a skeleton wearing a wedding dress, lying on a bed, shackled by their left wrist.”

Cate felt sick. “So, some sicko pervert kidnapped a girl and left her down there to die.”

Frowning at her curtly, he replied, “First off, at this stage we don’t know for sure that it is human remains or a fake crime scene. Second point, just because the victim is wearing a wedding gown does not mean they are female, Agent Todd. It is not possible until we get down there to determine details such as what sex they were, the cause of death, or the time of death.”

The senior field agent nodded his agreement. “True.”

Tony continued, “We don’t even know if someone else dressed the victim in the gown before or even after they died. All we have at the moment are lots of questions so let’s not jump to conclusions that could be wrong. Ducky may even need to consult a forensic anthropologist to help identify the remains, unless we get lucky and the victim was military. However, before Ducky can start giving us those answers, we need to find a way to reach the crime scene to start investigating. So, team, suggestions?”

Cate flushed, knowing that once again she’d jumped to a bunch of assumptions without any basis to do so. For the last five months, people had been constantly warning her it was one of her major flaws – one which she needed to work on gaining control over. If she didn’t, she couldn’t remain detached enough to maintain objectivity and objectivity was required to be an effective investigator. All those months, she’d thought that they were picking on her and trying to drive her away because they wanted her gone, but as she tried to remove her foot from her mouth, Cate was finally beginning to realise perhaps they had a point.

She had learnt all the information DiNozzo had just pointed out to her at FLETC, but she was so horrified when she pictured a young woman left to starve to death that theories flew out of her head as she’d run off at the mouth. It was hardly an auspicious start to the case and she was trying desperately not to stuff it up. Way to go, Cate!

Lt. Commander Andy Willis from Base Security wandered over to join them, and Tony introduced the team.

After acknowledging the rest of the MCRT, he’d turned back to DiNozzo. “This section of base housing has been closed for five years, Tony.”

Tony nodded and asked him if the hole opened into an old bunker, but Willis told him he didn’t know what the hole was so Tony ordered Kerry Ishida to use a camera scope to get a better view of the space. Kerry was the junior agent from Ric Balboa’s team who joined the team when Cate was attending FLETC and she’d ended up staying. While the team watched on a monitor, DiNozzo’s quick eye noticed a tunnel opening that looked like it led to the house nearby.

Cate was super irate that after they figured out how to safely access the chamber she’d been left up top to wait for Ducky and his assistant Jimmy Palmer. She should be down there, she had the profiling experience – even if Director Morrow hadn’t authorised her to do any psychological profiling since her return to active field status. Which was totally bogus and an appalling waste of a valuable resource but then, NCIS had totally archaic attitudes to profiling.

Cate wondered, not for the first time, if they’d have been so obstructionist and negative about her profiling if her name had been Callen Todd instead of Caitlin. Testicles seemed to open many doors at the agency which were barred to females, as far as she could see.

As she surveyed the crime scene up above ground, waiting impatiently for the ME to arrive she was
grudgingly impressed by how easily Tony had found the entrance to the tunnel from the house. Talk about blind luck!

They’d entered the abandoned home looking for a way to access the tunnel. DiNozzo found and opened an air vent in the back of a walk-in-closet; the unmistakable odour of decomposition making it clear that he’d found the entrance to the tunnel and the chamber. Calling for the rest of the team, he’d rolled up the carpet from the closet floor, revealing a board and under the board was a ladder leading down into the darkness.

After Ducky’s arrival, the team began processing the scene; Tony ordering her to sketch the scene. Feeling angry that her valuable profiling skills were being wasted, Cate caught the warning glare from the SFA, Stan Burley. Sighing in frustration, she reached into her bag to retrieve her sketch pad and pencils. Stan had been appointed as the team’s senior field agent TAD and, unfortunately for her, he was much more hard-nosed than when she’d first met him last year aboard the USS Enterprise. He’d definitely seemed more easy-going when they’d worked with him on the case where Chief Petty Officer Reyes was doping his whole team up on amphetamines.

Although Stan loved being Agent Afloat, he’d reluctantly agreed to return to DC and the MCRT. Scuttlebutt was that it was because no one else was willing to work with her, another reason she had to watch everything she said and did.

Luckily for the MCRT, the skeletal remains (which Ducky determined to be human) had been quickly identified thanks to the Armed Forces DNA Registry after Ducky was able to extract viable DNA form the remains. She was identified as Carolyn Figgus, Petty Officer 3rd class, a 22-year-old, who went missing 18 months ago. Ducky had determined that her death occurred one year ago, which meant that she was probably held in the bunker for about six months before her death. That ruled out the last tenants of the house as suspects since it had been unoccupied for the last five years.

Now they were on their way down to Jacksonville Naval Air Station, Florida, after Abby found a wing from a Darkling Beetle among the evidence they’d collected from the Norfolk crime scene. The beetle was not native of Virginia, but it was a native of southern Georgia and northern Florida, so Abby believed that it had been transferred to the Norfolk scene on the killer’s shoe. There were three bases in those areas – Jacksonville Naval Air Station, Mayport Naval Air Station in Florida, and a Naval Submarine Base in King's Bay, Georgia.

However, Stan Burley had found that NCIS Special Agent Melankovic from Jacksonville NAS had filed a missing persons’ report about a Petty Officer 2nd Class Barbara Swain who has been missing for almost four months. So, now they were headed down there hoping that unlike Carolyn Figgus, that Swain was still alive.

As she settled in to the webbing of the military air transport, missing the good old days when she flew around on Air Force One, she thought about Stan Burley. Having already worked with him when she’d first started on Gibbs’ team and based on how lavishly he’d sung Stan’s praises, Cate was shocked that he didn’t immediately assume command of the MCRT when he arrived. After all, Gibbs was a real compliment miser when it came to any of his underlings... well, anyone if you wanted to be pedantic. Therefore, Cate figured that Burley had to be a truly exceptional agent to warrant all Gibbs’ gushing remarks. So, she really didn’t get why Morrow had promoted DiNozzo to team leader over Stan.

Since they were effectively at an impasse until they arrived in Jacksonville, Cate decided to satisfy her curiosity and find out from Burley why he wasn’t team lead. Seeing as he had seniority over DiNozzo - eight years as an NCIS agent to Tony’s three, she honestly couldn’t understand why a cop was favoured to become supervisory special agent. While DiNozzo was busy chattering away to
Special Agent Kerry Ishida about noodle versus pasta making techniques, she figured it was an excellent opportunity to get some answers.

After asking him why Tony had been favoured as SSA over Stan, the good-natured blonde-haired agent had given her a pitying look. “And you call yourself a profiler, Cate. Granted, I have more seniority as a federal agent, but Tony has more experience than I do, plus he’s more qualified than I am.”

Cate had scoffed. “Oh, please, he has a Phys. Ed degree. You probably have a degree in Political Science or Economics,” she guessed, recalling that on the Enterprise Gibbs had bragged about how Stan, prior to becoming an agent, had worked as a senator’s aide in DC.

“A Bachelor’s in Poli Sci and an MBA,” Stan had replied mildly.

Cate’s shock showed on her face. “No way! I don’t believe it! You expect me to believe that Tony is more qualified than you?”

“Yep. Have you checked out what a Phys. Ed degree entails? It shares a lot of common units as a Pre-Med degree.”

“Tony? He’s an intellectual amoeba.”

“Yeah, well, the ‘amoeba’ also managed to complete a master’s degree in law enforcement and Public Safety.”

“You have to be joking! But even if he was, you have a MBA.”

Stan smiled. “Plus, his vocational training. Tony was singled out by The Powers That Be at Baltimore PD to attend the FBI National Academy; they recognised his potential not long after he received a gold detective’s shield. And in case you don’t already know this, he was one of the youngest detectives on record. Anyway... during the 10-week course he received further training in forensics, terrorism, behavioural science, leadership development along with 250 other national and international law enforcement professionals. Could be why he has so many LEO contacts around the country and if he doesn’t know someone, then one of his contacts probably knows someone who knows someone,” Stan informed her somewhat archly.

She looked askance at him, wondering what that had to do with anything.

“He’s awesome when it comes to networking and liaising with PDs and sister agencies. Plus, he has lots of contacts he can use to help chase down leads and, unlike Gibbs, he doesn’t put the cops’ backs up. It’s way less tense when we need to work joint cases with cops and other agencies. My stomach ulcer couldn’t handle the stress when Gibbs was barking at everyone for pissing on his turf.”

Burley stared at her. “Don’t pretend you don’t know what I’m talking about. I heard that Gibbs threw all the other agencies off Air Force One when you worked for the Secret Service and stole a cadaver right out from under the FBI’s nose. He would piss off his own grandmother if he thought she was interfering in what he thought was his investigation.”

She snorted, remembering how much Gibbs had riled up everyone, including herself, with his highhandedness when the presidential football carrier had been poisoned. Although, even if she’d never admit that to anyone, as aggravated as she’d been, she did think it was a bit hot. Like Abby, she had a thing for older guys... okay, hot older guys. Abby was less picky about the physical package.
Stan leant back in the webbing, looking like he was perfectly comfortable and lounging in a recliner chair. “I wish I had more formal training in things that DiNozzo has such as hostage negotiation, content analysis, or profiling suspects. So, yeah, of course he’s more qualified than I am to lead the major case response team,” the blonde agent said with a shrug. “No brainer, Agent Todd!”

“Content analysis? Hostage negotiation?” Cate repeated faintly. “Profiling... hang on... are you saying he’s trained in psychological profiling? You can’t become a profiler in ten weeks – even if the FBI course focused solely on profiling,” she objected, remembering how in the sniper case where Marine recruiters were being murdered that he’d made some flippant remark about her not being the only profiler. Typical Tony, he probably took a class or two and figured that was all there was to become a profiler – such a dilettante!

“No, of course not, it just whetted his appetite. He undertook FBI training in the subject, though,” Stan replied, watching her dismay at misreading him so thoroughly. “A little birdy told me he’s good buddies with several of the agents at the BAU at Quantico, especially Derek Moran.”

*Morgan,* she corrected mentally as she felt her stomach drop, wondering how she could have misread Tony DiNozzo so badly. Other people had tried to tell her that she had messed up badly in her profiling of him. She considered he was nothing more than an attention seeking buffoon when she first met him, so she didn’t take him seriously as a federal agent when she joined the agency. She’d been so comfortable in her initial assessment that she was a far superior agent than the juvenile ex-cop that nothing she’d seen after joining the team had led her to question her initial impressions, either.

Her sister, Rachel, the hot-shot clinical psychologist, had cautioned her in her *I’m your big sister, so I know better than you do* way about not jumping to conclusions she’d formed based upon her emotions - pointing out that Cate clearly resented Tony. Her sister’s qualms about Cate’s profile of DiNozzo had annoyed the former Secret Service agent immensely. Rachel observed that he wouldn’t have survived and thrived – being promoted to lead the premier team amid a crisis (one that had shined a harsh light upon the performance of the team) if he truly was the incompetent buffoon Cate believed him to be.

“Don’t forget,” her holier than thou big sister told her, “Gibbs has been suspended and demoted for incompetence and failing to follow procedures and you, Catie, were sent back to FLETC due to failure to follow some pretty basic rules of law.”

Her sister argued that after such a massive screw up, scrutiny by the powers that be would have been intense and the merest hint of incompetence on his part would have resulted in Tony being disciplined, too.

“He’s obviously not the fool you see him as, Cate. Time to admit you got him wrong, Sis.”

Cate had responded by giving her sister a sharp elbow to the solar plexus before stomping her foot Abby-style and snarking at her. “You’ve never even met him and you’re taking his side over me, Rachel?”

When her big sister stopped wheezing enough to be able to string sentences together, she’d scowled fiercely at her obnoxious younger sibling. “Enough with the deflection and your displacement anger, you brat! It won’t work on me, Missy! Let’s review the situation rationally. Your team was under extreme scrutiny after the charges against your suspect were tossed out. Your supervisor was demoted for failing to supervise his team, and you were disciplined for failing to read the guy his Article 31 rights.”

At this point as they sat in Cate’s apartment drinking red wine, her sister gave her an incredulous...
Huffing, she demanded, “What?”

Rachel glared at her. “What the hell were you thinking, Catie? Who doesn’t know that suspects need to be read their rights prior to being questioned? Even I know that!”

Cate had scowled viciously at her sister.

Rachel shrugged, “Okay, denial! So, where were we? Oh, yeah, if DiNozzo is the incompetent agent you think he is, he’d have been disciplined, too. Instead, he was promoted. Clearly, Tony DiNozzo is not the incompetent nincompoop that you insist on seeing him as – that you need to see him as. And before you physically attack me again for my use of the word nincompoop, let’s substitute it for something less pretentious like jerk/idiot/fool/dick/prick/douchebag/fuckwit, shall we,” she said, deliberately being vulgar, knowing Cate was uncomfortable with cussing. *She couldn’t even bring herself to say, ‘who the hell.’*

“So seriously, Pookie-bear,” Rachel admonished, using a childhood nickname for her sibling, “Perhaps you might find it easier to do your job if you weren’t such a prude. God isn’t about to smite you dead if you use hell instead of heck or damn it instead of darn it, you know. Do you honestly expect to build a rapport with someone from a blue-collar background when you talk and act like a prissy stitched-up schoolmarm around them?”

Needless to say - at that point their conversation had rapidly degenerated into a knockdown drag out sibling stoush; both siblings going for each other’s soft underbelly. It hadn’t been pretty.

Rachel’s seemingly logical observation hadn’t been well received by her little sister. Cate felt strongly that Rachel should have been on her side just because they were related, she shouldn’t be supporting some childish guy who wasn’t fit to shine her boots as a federal agent.

With the benefit of hindsight, she realised belatedly that Rachel, who was a clinical psychologist, was used to looking at situations objectivity; something Cate seemingly sucked at.

Unfortunately, Rach wasn’t the only person who’d tried to make her see reason about how she viewed DiNozzo, either. But being family, her unfavourable assessment had cut a lot deeper than the others had.

When she’d finally completed her FLETC courses in law enforcement, criminal justice, and forensic investigative techniques, (albeit with a couple of hiccups along the way regarding her attitude, necessitating repeating some assignments about transgenders and gays) she was still unable to resume her place on the team. As per her disciplinary proceedings, she was also required to undertake further training and supervision for her psychological profiling - which she privately thought would be a cakewalk for someone of her calibre. That didn’t prove to be the case, however!

Director Morrow had arranged for her to undergo a review of her profiling cases thus far at NCIS. Her supervisor was one of the founders of the Behavioural Analysis Unit, Dr. Jason Gideon, a brilliant criminal profiler – not to mention - very high profile.

Cate was torn between being furious at the implication that she wasn’t competent - despite working on the POTUS’ team as a profiler and experiencing a sneaky sense of excitement at the prospect of working with Jason Gideon. It didn’t escape her notice just how much cachet it would bring to her own reputation if she became Gideon’s protégé; after all, the man was a profiling royalty and his young protégé, Dr. Spencer Reid, was brilliant and famous in his own right. Maybe she could co-author some articles with them both. It would go some way to making up for the humiliation she’d
been subjected to.

While Cate had no intention of admitting it to anyone, least of all herself, she’d even entertained
daydreams where Gideon was overwhelmed by her brilliance and begged her to leave the Navy cops
to join him the BAU. That would show Tom Morrow and all the doubters at NCIS how wrong
they’d been when she joined the FBI. She imaged Morrow making an abject apology to her, begging
her to reconsider and come back to NCIS — and she would tell him to kiss her rear.

So, despite the implied slight to her professionalism by Morrow, she’d turned up in good faith to her
mandated training sessions, confident in her ability. Director Morrow wasn’t qualified to judge her
profiling, but she knew she could ace these sessions. Therefore, it was a bitter pill to swallow when
the arrogant profiler basically eviscerated her profiling; any dreams she’d possessed about him
begging her to join the BAU swiftly evaporating. After three sessions with Gideon, (and his golden
boy tagging along like an adoring puppy, worshiping at the arrogant cretin’s feet) he’d insolently
refused to work with her anymore. Instead, he’d handed her off to the BAU’s Unit Chief, Aron
Hotchner.

Although she was relieved not to have to work any longer with the caustic and massively arrogant
git, working with the head of the BAU, although not without prestige, didn’t have Gideon’s massive
reputation within the criminal profiling world. Hotchner was far more unassuming; more than happy
to let Gideon hog all the limelight, which was probably fortuitous since she doubted that anyone else
would have been able to fit in the same room as Gideon and his enormous sized ego. Aaron was also
a serious person, which appealed to her far more that the flamboyant show off.

Moreover, he was respectful and polite, if a little stern at times. After having to deal with DiNozzo’s
constant jokes, monologues on stupid movies and quaint fifties TV shows where woman were
obedient wives, plus his relentless bragging about his romantic prowess, Agent Hotchner’s reticent
manner made for a pleasant change. She felt confident that he would be able to appreciate her
profiling abilities.

Although he was refined and well-bred, regrettably he hadn’t seemed any more enamoured with her
profiling than Gideon had been. He’d been polite but also scathing about the cases she’d worked
while on the MCRT and the old BAU cases he’d given her to test her skills. Even the female profiler
on his team, Elle Greenaway, had been a total biatch to her - telling her that she couldn’t profile her
way out a wet paper bag.

Still confident in her profiling skills, she’d assumed that they were threatened by her because she was
a strong, confident female and they were intimidated because she’d worked directly with the
President. Perhaps Elle, as the only female on a male dominated team, was scared that if Cate joined
the team, it would be at her expense. What other reason could Greenaway have for failing to support
another female colleague?

But in retrospect, perhaps her less than insightful comments of Tony DiNozzo might have
demonstrated a poor example of her profiling skills, especially if they already knew him.
Unfortunately, she’d been quite vocal about just how intolerable it was to have to work with
someone who was so dumb. So maybe she hadn’t created the best of impressions! Still, how the
heck was she supposed to know that DiNozzo was pals with the BAU agents?

As they hit a small pocket of turbulence, Cate thought longingly about her days on Air Force One
and the comfortable seats. She looked across at Stan who was listening to music on his MP3 player,
his eyes closed, seeming to be relaxed and carefree. Taking a sip of water from her bottle, she
checked out DiNozzo. He and Kerry were swapping stories about growing up in bilingual families
and laughing. She still wasn’t sure if she liked the first-generation Japanese-American agent or not.
She was kind of difficult for Cate to read.

Rolling her eyes at their childish antics, she pondered about just how much the team had transformed since Ishida joined the team. She’d been expecting that Timothy McGee would join the team, becoming the probie and she and DiNozzo could treat him like an annoying little brother. Yet he’d been assigned to Ric Balboa’s team and Kerry Ishida joined the MCRT as the junior agent, technically outranking Cate because her probationary period had been extended. She huffed in aggravation. It wasn’t fair - she had way more experience than the younger Ishida!

Closing her eyes, hoping to nap, Cate admitted that she was having some difficulty coming to terms with the makeup of the team, finding it hard to comprehend why Gibbs had resigned from NCIS. According to Abby, he only lasted about two weeks after he returned from his suspension, working as the senior field agent before snapping. It occurred when he was taking part in one of DiNozzo’s inane inventions – he called them campfires. He made them all sit around in a circle in the middle of the bullpen and had people toss out theories and random thoughts, willy nilly.

Abby said that sometimes she and Ducky had taken part in the campfires, too, and it was plain to them both that Gibbs absolutely hated them. He complained seeing them as a waste of time and a sign that DiNozzo didn’t have a clue what he was doing. After his third campfire he’d stormed off up the stairs to the director’s office and demanded that Morrow stop acting like a dick and reinstate him as senior supervisory agent because, unlike DiNozzo, who was clearly out of his depth, he knew how to lead a team properly.

Office scuttlebutt said that the director had told him that wasn’t happening because he still hadn’t learned to respect the chain of command or the agency’s procedures and protocols, so he’d resigned in a snit. Cate seriously doubted the bit about Gibbs being in a snit, though. She’d seen him furious, livid, seething, yelling, and homicidally angry when the team didn’t have answers for him, but she couldn’t see him leaving the director’s office in a snit.

Regardless of the bit about the snit, within hours of him storming out of the office, the CIA was rumoured to have offered him a job and he’d taken it. The gossip coming from some of her old Secret Service buddies was that he was now spooking and being handled by a real dangerous psycho agent called Trent Kort. Abby reckoned he was a super badass SAS operative and mercenary who people said had the morals of a sewer rat and Cate wondered how and why Gibbs would agree to work with someone like Kort.

Initially, Cassie Yates had been the TAD assigned to replace Gibbs as the senior field agent, but she had left the week before Cate returned from her disciplinary action. True to her word, the statuesque beauty had refused to work on the same team as the former Secret Service agent because she was a bigot. The watercooler gossipers reckoned Morrow couldn’t find anyone in DC who would consider taking on the senior field agent role with her on the MCRT and finally Stan Burley agreed to return so the director had time to recruit someone outside of DC to take up the job. Not that he was happy; apparently Stan loved being a Navy cop on a shipload of Sailors and Marines. There was no accounting for taste!

Just as she suspected, Yates had put the word out about her with her fellow female agents, and apart from Ishida, they’d all refused to work with her. It wasn’t just female agents; males weren’t exactly falling over themselves either.

Cate was stirred out of her reverie when a lieutenant approached Tony and after a short conversation, he’d turned to the team, informing them they were landing at Jacksonville in five minutes. As Cate busied herself stowing her water bottle and unread paperback away in her backpack, she tried to shift her focus back on the case and away from her woes.
They had a missing petty officer to locate. Hopefully, she was still alive since it seemed that PO Figgus had been held captive for approximately six months before her death - although they didn’t have an exact time of death. This was going to be a very stressful case and she hoped that they’d made it here in time.

~o0o~

Cate felt emotionally and physically spent. Honestly, she was glad to see the back of Florida and Jacksonville Naval Air Station.

They were on their way home after finding Barbara Swain still alive, but most definitely traumatised by her long months of incarceration. She’d attacked DiNozzo when he’d located her and imprudently turned his back on her, suffering a loss of consciousness and a moderate concussion. It could have been worse, though, as the very confused and hysterical young sailor had grabbed his gun. Fortunately for both Swain and Tony, Ishida was his backup and she’d managed to talk the highly irrational Swain down. The petty officer had gone postal when she’d learnt of her captor’s death.

After surrendering the weapon to Ishida, the junior agent had called for medics for them both. It had been a good outcome, but it had been an emotionally draining case for everyone.

Stan had insisted that DiNozzo get checked out at the local ER and they’d ended up staying in Jacksonville overnight since the doctors refused to clear him to fly with a concussion after his loss of consciousness, declaring it wasn’t safe. Now that he had the all-clear to fly home, they’d boarded the Navy air transport, happy to be headed back to DC.

Soon after take-off, a wan looking Tony plopped himself down beside her. “You doin’ okay there, Cate?”

“Why wouldn’t I be? You’re the one that got your clock cleaned, Tony,” she replied, somewhat tartly, genuinely puzzled and also feeling more than a little insulted he was singling her out for special treatment. “What about everyone else?”

“Trust me, I am aware of that,” he muttered wryly, acknowledging his injury by rubbing his head gingerly. “But I also know that it bothers you that the killer was a Naval chaplain.”

Cate wanted to deny that she was disturbed that their serial killer had turned out to be the Naval chaplain, Brett Evans. But she couldn’t deny it because she was having trouble coming to terms with the fact that a man of God had abused the trust of those poor troubled young women who’d gone to him for spiritual counselling. After seeing that photograph album DiNozzo found hidden in Evans’ quarters, it was more than clear that he was guilty and that Figgus and Swain weren’t his only victims. Yes, it sickened her, not to mention he’d taken his own life – which was the ultimate unforgivable sin for a priest or minister... well, for anyone but a man of God? It was blasphemous was what it was!

Not wanting to fall apart in front of everyone, though, Cate reflexively had gone on the attack. “What about you, DiNozzo - you’re Catholic. How are you holding up?” she snarked back.

Tony stared at her. It was probably only a few seconds, although it seemed like way longer before he deigned to respond. “What makes you think that, Agent Todd?”

“Hello... DiNozzo!” she said incredulously. “Italian equals Catholicism, Tony.” Cate rolled her eyes at Tony who was holding an icepack up against his head that seemed to have appeared out of nowhere, until she realised that Agent Ishida had pressed it into the team lead’s hand. Little suck up.
“My paternal great-grandparents were Italian, Cate. My mother was English. You do the math. That makes me half English, one-eighth Italian, and three-eighths American. Yeah, my father is Catholic, but my mother was brought up Church of England... Anglican, and she had me christened in her faith when I was born.” He quirked his eyebrows at her look of surprise.

“After her death when I was eight, I didn’t really have a lot of time for church or God, Agent Todd.” He regarded her steadily. “Did anyone ever tell you that you have a habit of jumping to conclusions before getting all the facts? And for the record, I didn’t ask how you were doing based on your Catholicism. I was checking in because you totally freaked out over the case of the young seaman, Russell McDonald, aboard USS Forster.”

“That’s not true, DiNozzo,” she denied emphatically.

“You categorically refused to accept any possibility that he could have committed suicide because he was a good Catholic boy.” He snorted. “Call me crazy... but I figured that a Navy chaplain shooting himself in a chapel would be highly distressing situation for you when you believe that suicide is a mortal sin.”

“I don’t just believe it, Tony. IT IS a mortal sin – and doing it in the chapel was sacrilegious,” she snapped at him furiously. “Plus, if that wasn’t heinous enough, he used his position to lure young girls – how could a man of God do something so vile and abhorrent?”

Tony nodded. “You’ll get no argument from me. But here’s the thing. This case isn’t over just because we found PO Swain and Chaplain Evans blew his brains out.”

Cate did one of her epic eye rolls. “Duh, DiNozzo. Caroline Figgus’ family will have to bury their daughter and Barbara Swain will need extensive psychotherapy to recover. She has Stockholm Syndrome and more than likely will suffer from PTSD long term,” she snarked at him.

He looked at her steadily. “I do know that, but that wasn’t what I was talking about. I wanted to know how you’re doing because the case isn’t closed until we’ve done our damnedest to ID every single female who’s in Evan’s photo album and find them and bring them home to their families.”

He closed his eyes, momentarily overwhelmed by the enormity of the task, taking a deep breath before continuing. “I want to know if you are going to be okay to work the case. I’m going to organise for the whole team to undergo critical incident debriefing and have ongoing trauma counselling. If it’s going to be too difficult for you to work this case, that’s okay. You can temporarily stand down – work on cold cases or work cases with another team. It won’t affect your record,” he promised earnestly.

Before Cate could formulate an outraged response; more than likely she’d had come up with a sarcastic remark about why he was unfairly targeting her because she was female, and chauvinist that he was, thought she was the weak link, he’d stood up. DiNozzo made his way back to his spot, wobbling slightly before settling down into the webbing with a muted groan. Evidently, he wasn’t feeling as fine as he claimed to be when he convinced the medics to let him fly home.

At first, Cate was incensed that Tony was singling her out – like she was some delicate little flower that needed saving by the big strong macho hero. Gibbs wouldn’t have dreamed of seeking her out to inquire if she could handle things. Even after Suzanne McNeil had blown her ex-lover and herself to smithereens after he dumped her and left her for dead in a shallow grave. Cate had been so sure she was a victim and wouldn’t listen to reason when people were sceptical about her. Thanks to her naiveté, McNeil had gotten her hands on explosives and blew up the building, including herself, Gibbs, and DiNozzo. She’d expected a chewing out plus an ‘I told ya so’ from Gibbs, but he basically ignored it, not even inquiring if she was okay after his initial inquiry when they hauled
themselves out of the debris.

She’d kind of figured out then, if she hadn’t done so sooner, that he wasn’t a touchy-feely kind of guy. Like when he’d told her about the death of her lover (ex-lover since she’d dumped him moments before he died) on Air Force One to see if she was guilty. Moreover, if one of the team had even hinted at feeling any distress, Gibbs would have given them a literal and figurative boot up the butt before telling them to ‘suck it up and get back to work.’

A part of her truly wanted to march up to DiNozzo, elbow him in the ribs for being a patronising male chauvinist pig and demand to be treated equally. Fortunately, Stan was having an intense conversation with him and she decided she’d tackle him later.

When she’d cooled down a little, Cate had to admit that she was having serious problems with the fact that the chaplain had been evil. She hoped that there was a special spot reserved just for him in Hell. She wanted to head home to Indiana and demand that Father Shaun O’Reilly, her childhood parish priest, make sense of this for her. Part of her knew, though, that there was no way to make sense of what Brett Evans had done.

She knew Evans was more than likely the product of an abusive childhood, but she honestly didn’t care. There were some lines that shouldn’t be crossed and a chaplain luring innocent and naïve young women into captivity was one such line.

Resting her head back against the webbing and closing her eyes, Cate conceded that Tony wasn’t the first person to zero in on her religious beliefs as standing in the way of her being able to do her job, dash it. Former BAU criminal profiler and author, David Rossi, had drawn it to her attention too on numerous occasions – not that she’d been willing to listen.

When the unit chief of the BAU decided he couldn’t work with her either, at least Hotchner had the decency to arrange for the legendary profiler, David Rossi, to take over her ‘training’. Rossi was a contemporary of the obnoxiously conceited Jason Gideon and one of the co-founders of the BAU, although he was no longer working as a criminal profiler. He’d retired to write books on forensic psychology and work part-time as a lecturer.

Cate had been somewhat mollified at being fobbed off onto yet another profiler when she discovered his identity. After all, David Rossi was a celebrity and even though he was an older guy – quite charming. Okay, and sexy as all get out.

She really couldn’t help it if she’d always gone a bit soft and squishy for sexy older guys. Maybe it was because they weren’t insecure, infantile jerks – at least Rossi wasn’t.

That said, despite being super-hot in a mature kind of way, he’d meticulously and dispassionately dissected every single piece of profiling work she’d done at NCIS and had also been less than complimentary about her profiles. Almost immediately, he’d zeroed in on what he’d called her ‘limitations.’ Her impulsivity and emotionalism, which he told her bluntly was interfering with her ability to maintain sufficient professional distance, so she could formulate accurate profiles. When she denied that vehemently, he’d cited her over involvement with the bomber, Suzanne McNeil, as a prime example.

He’d also criticised her thought processes, labelling them as incredibly inflexible and intransigent. He pointed out that profilers had to be able to modify or abandon their profiles on the fly when new data surfaced disproving prior assumptions and profiles. Something he was quick to remind her, she’d failed to do on more than one occasion. He warned her that until she could be mentally flexible, her profiling was always going to be suspect.
Rossi’s feedback had been particularly caustic when it came to her profiling anything to do with sexuality. He’d said her views on sex were repressed and prudish - which sounded freakily like something Rachel accused her of on more than a few occasions. Naturally, she’d always ignored her sister because what the heck did Rach know about profiling?

Truthfully, she’d found it galling to be taken to task by Rossi. Maybe because she had a bit of a crush on him - Rossi’s analysis had far more impact upon her than even the most derogatory comments coming from the restrained Aron Hotchner or the pompous Jason Gideon. Hardly surprising, after all, Gideon was a narcissist whose ego wouldn’t fit through the door. Or perhaps it was that Dave wasn’t the first profiler to give her negative feedback, a tiny voice of reason whispered.

However, Rossi saved what was perhaps the harshest of his criticism for what he called her extremely narrow and unwieldy religious beliefs. He told her very bluntly her sanctimonious points of view interfered with her competency, especially whenever cases were related to sexuality and anything she thought of as abnormal, unnatural, or sinful. He pointed out that was a huge problem since they were a huge proportion of a criminal profiler’s workload.

Although after doing the hatchet job on her profiling skills, Rossi had given her a compliment, even if it was a backhanded one. He’d told her she was better suited to profiling terrorists as opposed to criminal profiling since terrorists were usually motivated by extreme religious dogma too. The implication had stung, especially from the sexy Italian.

While Rossi had been more patient with her than Gideon or even Hotchner had been, nevertheless, after almost seven weeks working one-on-one with her, even he’d thrown up his hand in defeat, telling her to forget about trying to practise as a criminal profiler - that she was a menace to the profession.

Naturally, she’d taken umbrage at his candidness, especially when he called her a religious dogmatist. In turn, she’d accused him of being an intellectual heretic causing him to laugh uproariously. He told her he was a practicing Catholic with enough life experience to know that so-called ‘normal’ was way more fluid than two discrete and narrow definitions of normal versus not normal. He said he was broadminded enough to be able to incorporate empirical research into sexuality and human behaviour into his profiling work and still be religious, that they weren’t mutually exclusive.

She had not been impressed, feeling his criticism was grossly unfairly. Just as she’d eschewed everyone else’s criticism as unfair and ill-informed: Gideon and Hotchner, her older sister, Rachel. Unfortunately, her refusal to take on board their feedback and suggestions had proved to be extremely costly for her career. Rossi had informed Director Morrow that he refused to supervise her criminal profiling during investigations.

Cate was equal parts gutted and furious - not that there was a lot she could do about it. When she’d had to sign her new employment contract, following the Master Sergeant Rafael fiasco, one of the stipulations was that she could only conduct criminal profiling during investigations if she had peer supervision. Word was out and no one else was willing to supervise her, so her career was effectively stalled.

Since returning to active field status, she’d been forced to focus solely on investigation and Cate had remained unconvinced of her so-called lack of competency as a profiler... until now, and as a result was fuming mad at the injustice of it. That was until Stan Burley had set her straight about her profiling of Anthony DiNozzo, Junior. Working with him for the better part of a year, thinking she had him all figured out, then learning she hadn’t a clue about him had shaken her confidence like
none of the other attacks on her profiling had, even Dave Rossi.

It was one thing to brush off bad profiles which she’d formulated based on a single meeting or a personnel file. But she’d worked with DiNozzo for a year, practically 24/7 some days, seen him tired, happy, distraught, determined, and furious, and still managed to screw up his profile apparently. Content analysis? DiNozzo?

Forced to acknowledge to herself that many of the assumptions she’d made about him were patently false or greatly exaggerated made her question everything else she thought she knew about him. She also found herself reconsidered what Delores Bromstead and Director Morrow had been saying, albeit grudgingly, when they had excoriated her, five months previously.

After being on stand down while she attended FLETC and nine more unsuccessful weeks of profile training, which ultimately cost her her ability to profile, she’d returned to the team with what Abby might call her *Mother of All Chips* on her shoulders. She’d come perilously close to losing everything and should have been grateful to have a job at all, but she’d been resentful and prickly, not amused at having to work under DiNozzo.

This awful case had been something of a wake-up call for her. She was finally starting to accept that ‘maybe’ all these people could be right, and she had been a less than stellar profiler.

And with that grudging admission, suddenly she was able to see things which had previously annoyed the poop out of her, much more objectively. *Okay... it had annoyed the crap out her! Happy now, Rachel?*

Cate was forced to reassess little things such as Tony’s brainstorming sessions that he implemented (even if he called them campfires) where he encouraged them to share their opinions and thoughts. Previously, she’d viewed the sessions as further corroboration that he was utterly clueless about what to do. That he lacked the authority and the management skills needed to be an effective supervisor so he was asking them what he should do. But now that she accepted that he was, in fact, highly trained, Cate saw that perhaps his leadership style was collaborative and authoritative instead of despotic like Gibbs had favoured.

Although she found herself attracted to Gibbs, (he was powerful, older, and had those sexy ice-blue eyes, which was a turn on) one of the things that always peeved her about working with him was his secrecy. Not just when it came to classified Intel which, as a former Secret Service agent, she could totally accept, but even the most benign stuff like crucial facts in their case. He’d wait until one of them was about to announce their findings and pre-empt them with a smug little smirk on his face, letting them know he was always a few steps ahead of everyone else on the team. No matter how hard they worked, he always had to one-up them.

Then was the occasion when she had asked him if when he handed out duties in the field, did he have any rhyme or reason. He’d replied with that aggravatingly lopsided half smile of his that made her go weak in the knees while wanting to slap him silly, that he did have his reasons, but the arrogant ass refused to tell her. He could be so darned infuriating! No wonder he had three ex-wives.

Cate conceded that DiNozzo didn’t seem to hoard data about their cases to try to one-up them. He shared information during campfires and was always generous in explaining his thinking when someone asked him politely. Okay, so maybe she frequently couldn’t follow his thought processes which seemed random or even chaotic, but perhaps that wasn’t because he was stupid so much as his brain functioned on a different wave length.

She admitted, somewhat grudgingly, (because it was hard to turn her thinking around) that his leadership style generally made a positive difference to the team’s morale. It made them feel included
and less like naughty children who didn’t deserve to be trusted. Plus, even if she’d only been back for a few weeks, she could see that Tony wasn’t playing individual team members off against each other. It made them feel less like they were squabbling children competing against each other and more like valued professionals. She was loath to admit it, but Cate liked it.

Much as it killed her to admit it to herself, (further proof of just how badly she’d read him) she conceded he was far more solicitous of his team’s welfare than Gibbs had ever been. Tony saw the team as people, not robots. He insisted that they have regular food breaks, rest, and got minimum number of hours to sleep even while they were working an active case.

He still did his fair share of the dirty jobs, not just assigning himself the high-profile interviewing of witness gigs as crime scenes. Initially she’d profiled him as trying to win a popularity contest because he was weak and desperate to be liked. In her opinion, unlike Gibbs, he didn’t have the balls needed to give out unpopular assignments, so he took the easy way out and did them himself.

Now that she was ready to start looking at him from a fresh perspective, she figured that it could be another way of him protecting the team. Trying to manage his resources more effectively by pulling his weight, so they processed crime scenes quicker and were more effective as a team.

Even the fact that DiNozzo was organising for the team to have counselling was huge. In all the cases she’d worked when Gibbs led the team, there had never been even a suggestion that Gibbs would let a counsellor work with them, even to debrief them after life threatening cases like the bombing of the BFF building by Suzanne McNeil, which had been very traumatic. She’d had nightmares for weeks afterwards.

So maybe DiNozzo wasn’t singling her out so much as he was looking out for her... for them. She decided that instead of fighting him on the issue, she would avail herself of the counselling. The thought of those poor women chained up waiting for Evans was the stuff of nightmares. She’d already had a couple of disturbing dreams last night. It was doubtful they’d be the last, either.

When she’d come back three weeks ago, Director Morrow had made sure he filled her in on the status of the case which had seen her sent ignominiously back to FLETC five months previously. In the spirit of abandoning the self-delusion she’d been operating under since she’d first profiled DiNozzo on board Air Force One, Cate decided it was past time for her to acknowledge the elephant in the room. He’d managed to get a conviction for Master Sergeant Rafael after she screwed it up.

DiNozzo taking point, with the assistance of Agent Ishida and Balboa’s team, had managed to find irrefutable proof that Master Sergeant Rafael was the real brains behind the theft of the Marine Corps decommissioned weapons. They’d traced his phone and financial records after getting subpoenas and found that there had been more than just that one theft that he’d copped to in the illegal confession which Cate had obtained. Thanks to DiNozzo’s investigation, the odious Marine had been charged with multiple counts of trafficking of military weapons.

If that hadn’t been bad enough for her self-esteem, the director reported self-righteously that DiNozzo had been right – Rafael had killed Master Sergeant Grimm when he’d gotten nervous and wanted out on the operation. Corporal McClain had told Rafael that Grimm was showing signs of cracking under the pressure, effectively signing his death warrant. Both Marines ended up incarcerated in Fort Leavenworth and the Corps was ecstatic to be shot of them.

She was just waiting for DiNozzo to rub her nose in the fact that he cleaned up her mess, knowing that he wouldn’t be able to resist big noting himself. Though Cate would never admit it to anyone, if the shoe had been on the other foot, she’d have been rubbing it in his nose the first chance she got and every time she got an opportunity. She still wasn’t sure why Tony hadn’t brought it up to her.
Sighing in defeat, the former Secret Service agent looked across at Burley and Ishida, both of whom were watching Tony with concerned expressions as he dozed lightly – pain apparent on his pale face. Goodness knows how he could sleep in the uncomfortable webbing – give her a real seat any time. Smiling as she remembered his enthusiasm on their way back from Guantanamo Bay in Sec Nav’s Lear jet, Cate couldn’t help but agree with Tony. She definitely preferred a private jet with a proper bathroom to military transport any day. It seems that they did have at least one thing in common after all.

She probably needed to let go of those preconceived opinions of him formed when he’d brandished that magazine with the photo of the girl in the bikini on Air Force One. As the director had pointed out when he was ripping her to shreds, DiNozzo was using the photo to explain why they needed to make sketches in addition to taking photographs at a crime scene and picked up the magazine. Plus, it wasn’t his magazine – it belonged to one of the football carriers, and Ducky had joined in the banter, too. Why hadn’t she immediately profiled him as a sexist buffoon, too?

Kerry and Stan seemed to think Tony was a good guy and had the chops to lead the team and both were articulate, intelligent people. Kerry was a whiz when it came to anything computer related, so she was obviously no one’s fool.

Cate had to admit that the dynamics of the team were very different now, more relaxed. They were no longer expecting Gibbs to appear like a puff of smoke out of the ether and emote all over the bullpen. And though the vibe was more relaxed, she admitted that when they were out in the field, DiNozzo was very professional.

Though Cate was loath to admit it – she felt safe with him when they were out in the field – felt that he would have her back no matter what. Felt he would take a bullet for her or any one on the team if it came down to it. And really, shouldn’t feelings of safety trump some aggravating or juvenile behaviour in the office? Hadn’t she been prepared to put up with a whole lot of outrageous crap from Special Leroy Jethro Gibbs for the knowledge that he would keep her safe out in the field? She’d tolerated anger, sometimes irrationally so, constantly demanding, impatient, intimidating, tantrum throwing, paranoid, secretive Gibbs and the cherry on top – a man who hit subordinates when he was frustrated.

What had she been thinking?

Darn – maybe she’d jumped to a whole heap of conclusions about DiNozzo which were wrong.

Maybe? She snorted. Are you still deluding yourself?

But accepting that she was wrong... she was struggling with that.

She was going to be eating crow for a long time!

Rach was going to be completely insufferable!

And Cate hated crow with a passion.

Her life sucked!
The Devil's in the Details

Chapter Summary

A SEAL falls to his death during a training session in preparation for a highly critical mission. When foul play is determined the team needs to discover who is responsible before the SEALs are scheduled to undertake a top secret mission. Easy right?

Chapter Notes

A/N: It was always my intention when I started this series (quite some time ago now) that Morrow, unlike Gibbs wouldn’t shy away from handing out praise when it was deserved. In this tag Tom hands out a commendation to the person who basically broke the case at the eleventh hour. Frankly, I’m disappointed to say that there were an awful lot of procedural lapses on this case and then my awesome Beta pointed out a few I’d missed. Thanks for all your help with this tag Arress, including the proofing twice. I’ve tweaked it a bit since so if there are boo boos then they are my bad. Hope people enjoy this one.

See the end of the chapter for more notes

Series: There’s Always Tom Morrow

Title: The Devil’s in the Details

Episode: A Weak Link


Gibbs’ team had been called out to a suspected kidnapping case of two children when Abby Sciuto received a summons from the NCIS director. With the benefit of hindsight, which was always a helpful tool, Abby figured that Director Morrow had probably timed their meeting to coincide with her Silver Fox being otherwise occupied so he didn’t interfere. And truly, when Gibbs had a case, he did become extremely preoccupied and growly bear – like he was over that ass hat who shot him and poor Gerald and pissed all over his territory.

In this case, with a couple of kids at risk, he would morph into the crazed, obsessive despot he always became whenever children were in danger, ignoring everything extraneous to the case until it was solved. Basically, Abby knew that for now, she was on her own.

She recalled her meeting with the big boss, her tummy doing flip-flops.

Entering Morrow’s outer office, she smiled nervously at Cynthia, Morrow’s executive assistant, who was poised and calmly serene as always.
Smiling back at the Goth, she informed her in her typically businesslike but friendly manner, “You can go straight in, Dr. Sciuto. The director is ready for you.”

Taking a deep breath to steady herself, while trying to catalogue anything that she might have done to warrant a meeting with the director, she came up empty. Perhaps it was just to discuss some of her requests for the latest facial recognition software.

Stepping in to the director’s inner sanctum, she scanned his face, trying to determine if she was in trouble, but she found him annoyingly impassive. Abby never really thought about it consciously because it was second nature, but she was highly skilled at reading non-verbal cues, particularly facial expressions. Hardly a surprise since she was the child of two deaf parents who had learnt to read sign language before she’d learned to talk verbally.

Beckoning her in, he said, “Thank you for coming so promptly, Dr. Sciuto. Have a seat.” He gestured to one of the black leather chairs near his desk.

She tottered over on her platform boots, folding herself into the chair anxiously. “Um, no problem, Director.”

Looking at her neutrally, he began, “Before I explain why I wanted to meet with you, I just need to check. Are you working on anything urgent that won’t wait for the next 20 minutes or so, Doctor?”

Abby shook her head. “No, Sir. Major Mass Spec is running some trace evidence for Balboa’s team and I have several DNA tests being processed for Agent Schumer. They won’t be finished for at least three hours.”

“Good. Let’s get started.” Tom picked up a file on the top of a pile of case files on his desk and Abby could see it was the case file of the MCRT’s previous investigation into the death of the SEAL Lieutenant Richard ‘Rick’ Johnson.

Abby was having trouble sitting still. She didn’t usually get called up to the director’s office to discuss cases... not unless there was a problem. But this particular case had been closed; it was a suicide.

Seeing that she was staring at the case file, Tom shrugged. “I need to gather further information about our investigation into Lieutenant Johnson’s death, Dr. Sciuto. I decided to begin by asking for your input since the MCRT is otherwise occupied with their current case.”

Abby frowned, feeling confused. “I’m sorry, Director. I submitted a report already. Was it misplaced?”

“Dr. Sciuto, the case has been referred by SecNav to Hugo Collier, the Naval Inspector General, for further investigation. Therefore, I’m attempting to make sure that our ducks are all in a row, before the review takes place.”

Abby was tempted to stomp her foot in irritation. What was wrong with SecNav? “The SEAL committed suicide because he was gay, and because his wife found out he was having an affair with a guy.”

Tom nodded. “Yes, that is a fair summation, although I’m sure Lieutenant Johnson would argue it was far more complex.”

“I don’t understand. Why is it our fault he committed suicide, or he was in the closet about his sexual orientation?” she said, pouting. “Is this some witch hunt because he’s gay?”
Rolling his eyes, Tom shot her look silently telling Abby to get down off her soapbox. “C’mon, Doctor. I’m sure you aren’t as naïve as that statement would suggest. As you know, Lieutenant Johnson’s SEAL team were scheduled to perform a highly classified op for the CIA – a hostage rescue situation. The mission was four months in the planning and all the SEALs had been heavily vetted by the Central Intelligence Agency.” He paused for effect.

“When it appeared that the lieutenant had met with foul play, their extremely classified mission was in danger of being called off, Dr. Sciuto. It was an extremely time sensitive case, as you would be aware. If the mission was cancelled, it would have had tragic repercussions.”

Abby nodded soberly. SEALs and a hostage rescue situation which had taken months of planning, even though they didn’t have the details since the op was need-to-know, it didn’t take a genius to know it was highly dangerous.

Morrow pursed his lips together, before continuing his recitation. “Since no one, aside from the SEALs themselves, knew that they were going to be training and using the rappelling gear, once it was clear that the D-link had been deliberately switched, a mole on the team became a distinct possibility. If they did have a mole, it would have been too dangerous to have allowed the mission to continue. Word came through right at the eleventh hour that Johnson had committed suicide and the SEAL team wasn’t being targeted internally by our enemies.

“The CIA came way too close to scrubbing the mission for The Powers That Be. They were not happy, and they want to know why it took NCIS so long to determine the cause of death was suicide. It has been argued by the CIA that the 38 hours that it took to determine that Johnson killed himself was excessive.”

The forensic scientist huffed defensively. “Maybe the CIA should be asking itself why a married SEAL who they had supposedly vetted was able to carry out a clandestine extra marital affair with another guy. Not that I believe there's anything wrong with being gay, but the military has the DADT policy, so if anyone had discovered Johnson was gay, he would have been discharged from the military, resulting in him being off the mission.”

Tom Morrow chuckled wryly. “Agreed and trust me, Dr. Sciuto, I intend to ask that question during the case review, as does SecNav. I think that in some regards, the CIA making demands to SecNav about the delay in determining COD is to some degree a deflection because whoever it was that vetted Lieutenant Johnson, they did an extremely bad job of it. He had a massive secret and it makes you wonder what else they might have overlooked.”

He looked across at Abby and seeing she appeared somewhat mollified by him agreeing with her he leaned forward in his chair. “That being said, I’d appreciate you going through the steps you took in examining the evidence after you received it. I would like to understand why what seems to have been a fairly straightforward case of suicide took so long to solve.”

So, Abby launched forth on the steps she took in determining that the D-link was handmade and it was definitely not mass produced. She also discovered that it was comprised of aluminum, not steel as it should have. How she determined there was a partial fingerprint on the D-link which didn’t belong to the lieutenant. She’d reported these findings to Gibbs, along with her interpretation that someone had deliberately substituted a D-link made from a weaker metal than the real D-link used by the SEALs. It had failed to hold his weight and caused him to fall to his death.

She took him through the steps to how she’d found a match for the partial print in a criminal data base. It belonged to Lieutenant Johnson’s wife who’d been convicted of joy riding when she was eighteen. She explained how when the lieutenant’s phone had received an email message asking, ‘Why weren’t you there?’ Abby reported that she’d taken the phone up to the MCRT’s bullpen, still
in its evidence bag and handed it over to Cate, since she hadn’t had time to process it yet, in the MCRT’s bullpen.

“The message had been sent from an email account whose user name was Dave Smith at Concealmail.com and the curious thing was that specific email account wasn’t one that had been used on Johnson’s computer.” She explained why it had immediately been a red flag.

“That was when Gibbs determined that they didn’t have time to get a warrant to get into the servers to get into the email account of the unknown Dave Smith, so they’d have to hack the servers to learn who he was.”

“So, Gibbs asked you to do that?”

“Well, yes, but he told Cate to call in McGee, too.”

“You needed assistance? It wasn’t something you could have done by yourself?”

“Of course, I could have done it by myself. It wouldn’t be the first time or the last either.”

“So, why call McGee in then?” Tom queried.

Abby looked momentarily blindsided by the question. “Um, I guess it was time sensitive and the bossman wanted it done... like yesterday.”

The director leaned towards Abby, an intense look on his face. “Yes, I understand that the case was time sensitive, Doctor. But if that was the case, then why order McGee to come up to DC from Norfolk? That’s roughly 195 miles and at least a three and a half hours’ drive. In such a time sensitive investigation with so much riding on it, why waste almost four man-hours waiting for McGee? Why not ask cyber-crimes or IT to do the hacking since they were already in the building?”

Abby looked at him, astounded, before eventually mounting a passionate defence. “I can’t answer that, Director, but I’m certain that my Silver Fox... ah, um... Agent Gibbs would have had a really good reason.” She championed Gibbs’s choice with unswerving loyalty, which should come as no surprise to Director Morrow. It was well known that the Goth regarded Agent Gibbs as an infallible superhero.

Morrow nodded, looking doubtful. “You’re right, I need to take that issue up with Gibbs.”

Changing tack, he asked her, “Tell me, what did you and Agent McGee argue about after he arrived? Was it because you thought you didn’t need his assistance, Dr. Sciuto.”

Abby was pretty sure that if she didn’t already have a Goth tan (a combination of genetics, staying out of the sun, and cosmetics) then the director would have discerned how shocked she was. Holy crapoly!

“Well, yeah... um, sort of, but not really,” she stammered nervously, wondering how he knew. Did Gibbs know? Had he said something?

Of course not. If he did he would have said something to you about it. Not gone running to the director.

“Well, that is clear as mud. I trust if you are called before the IG’s inquiry that you’ll be more coherent answering his question, Doctor. Care to try that again? What were you and Agent McGee arguing about? Was it to do with the case?”
“No, Director, not the case. It was personal,” she said firmly, before indicating that she didn’t wish to discuss it.

Sighing, Morrow reached for his intercom. “Cynthia, could you ask Marcy Jacobs or Dolores Bromstead to report to my office ASAP?”

Leaning back in his seat, the director stated firmly, “When it comes to matters affecting the security of the United States, employees of a federal agency who choose to have personal arguments on the job cannot claim that they are private. You want privacy, then do it on your own time, not while you’re supposed to be working.”

Frowning forbiddingly at Abby when she went to reply he shushed her. “Wait until a representative from HR gets here, Doctor. But I want you to consider this. The Inspector General is going to go through this case with a fine-toothed comb because the SEAL op was part of a bigger agenda, one that was very secret, vital to our security, and extremely expensive in terms of man-hours, logistics, and tax-payers' dollars.

“While I agree that the CIA should have vetted the team better, I think that there were also things we didn’t do as well or as speedily as we could have. I want to know why. Not just because of the IG’s case review, but because I want to make sure that we take the necessary measures to make sure we do better next time.”

Abby was shaken by the dressing down. She was used to being feted and petted by the agents for pulling rabbits out of the hat, so she didn’t appreciate being interrogated when she’d done nothing wrong. *If she had done anything wrong, and she seriously doubted it because she had mad forensic skills.*

Mind you, she would like to know who had blabbed about her and Timmy’s argument. *Was it Timmy?* Surely, he wasn’t still sulking about it – just because she didn’t say it back to him. After all, she told him she loved his sappy poem... even the finger snaps.

**FINGER SNAPS?**

*How very Austin Powers!*

*Yeah Baby!*

Abby stifled a giggle. She didn’t think that it was Cate who’d have ratted her out because they had become really good pals, despite the fact that they were so different. *Oh yeah were they different.*

Yeah so okay...Cate was sexually repressed, uptight, and often judgemental, and Abby was a Goth who slept in a coffin (and had sex in it, too), was into kinky sex, and tried to be accepting of people’s differences. She tried not to make snap judgements, so she would give Timmy and Cate the benefit of the doubt...for now.

Abby looked across at Director Morrow who was tapping away at his computer ignoring her, and she wished that Gibbs was here.

~o0o~

Marcy Jacobs appeared about five minutes later and the director moved the discussion to the large table where conferences were conducted. Once they were situated, Morrow had swiftly filled in the head of the Human Resources Department before asking Abby to tell him what the argument was about.
Sighing theatrically, Abby responded that Timmy was arguing with her that the word ‘hinky’, which FYI was one of her favourite words, wasn’t a real word. And that showed how much he knew because despite his insinuation, she didn’t make it up, it was a slang word first used in 1920’s.

Clearing her throat, Marcy cleared her throat. “Really? That sounds like a pretty minor thing to disagree about, Dr. Sciuto.”

And adding fat to the fire, the director concurred. “The person who heard you both arguing, was under the impression that there was something more going on than an argument about the etymology of a word, especially one which wasn’t in any way fundamental to you doing your jobs.”

So that explains how Morrow knows. Timmy didn’t rat me out and Cate did either.

Marcy prodded her. “Sounds like you were already both angry before he arrived in the lab. Perhaps it was a passive-aggressive means of attacking each other about some other issue.”

Abby threw her hands up in the air. “Passive-aggressive? I’m not the passive-aggressive one – that’s Timmy’s game. He’s a walking talking dump truck of concealed hostility just waiting to unload. He also thinks he gets to say what are words and what aren’t, just because he writes poetry and detective stories.”

Even though they had made peace with each other, it really hadn’t got to the root of their problem, which was that Timmy was so emotionally needy and insecure. Sure, that could be kinda cute sometimes. He took her to a coffee house for poetry reading and had written a poem for her, which was sweet, if a bit creepy in a clingy, lovesick puppy sort of way. But she was also starting to see why Tony had tried to stop them hooking up – she was so not looking for love and commitment, just lots of sex and good times. Frankly, she didn’t know why McGee had had to go and spoil what they had together - they’d been having a good time.

She’d have to apologise to Tony; when he’d tried to warn her off, she’d taken immediate offence, telling him she was not a snob. She didn’t go out with people based on whether or not they were inked. But she was beginning to see that DiNozzo, who knew her pretty well after two years, had the right of it when he tried to advise them against hooking up together.

She’d thought it sounded super cool – a guy wanted to go out with her just because of how she sounded talking to him over the phone. How non-judgemental of him and she thought he sounded sweet. But Tony had met Timmy, had worked a case with him and as someone who had mad skills working undercover, was way awesome at being able to judge people on the fly. He must have seen something in McGee that made him see the young agent wasn’t a player – unlike herself or DiNozzo, and that he would fall for girls and fall hard.

Plus, DiNozzo knew how much she hated anyone trying to tie her down – emotionally. Tie her down emotionally with gloopy saccharine sentiments of undying love and devotion (euuw) and she soon began to feel claustrophobic and she wanted to run away – like with Timmy when he got all serious and wanted to talk about ‘their future.’ Tie her down physically for some mind-blowing sex, though – well, hell, yes, she’d soon figured out he wasn’t into bondage at all.

She was starting to realise he was too white bread for them to be sexually compatible partners. Not to mention their age difference – was he looking for a mother figure cuz she wasn’t interested in being anyone’s momma.

Seeing that Morrow and Marcy were waiting for her response, she sighed in annoyance. “Yeah, we kinda had a fight when we were out the night before. Timmy told me that he liked me, but I didn’t say it back. I said thanks and then he got all insecure and passive-aggressive. He wanted to know
where I saw our relationship going and I asked him why it had to be going anywhere. Why not just enjoy ourselves?"

She was swiftly coming to the conclusion that Timmy was the emotionally needy, insecure girl in their relationship.

Marcy nodded understandingly while Morrow looked surprised. “You and Agent McGee are dating?”

Abby rolled her eyes. “Dating is sooo junior high, Director. It’s not that serious. It would be more accurate to say that we’re seeing each other, sleeping together; friends with benefits, scratching each other’s itches."

Tom shook his head. “I don’t know, Doctor. Sounds to me like Agent McGee is pretty serious. If I asked him, I have a feeling he’d say that you’re dating.”

The forensic scientist scowled, not because she necessarily disagreed with Tom, but because he was right. How had she got herself into this mess? She’d thought playing around with a guy who was younger would have kept her safe from getting too serious. She really liked McGee; as a friend, they had heaps of common interests, but Abby had no intention of tying herself down to one guy at this stage of her life – maybe not ever.

She wasn’t sure she had it in her to be happy with being in monogamous relationship. Damn it, there was an extremely hunky barista at her favourite coffee shop that was a huge fan of her latest favourite band – The Screaming Hebbie Jebbies Go to Hell in a Handbasket – awesome songs. He’d asked her to go to see them play at a club. Plus, he had some totes wicked inks and a pierced tongue that was making her hot just thinking about what he could do to her if they had sex. He was a bad boy, and she liked the dark and dangerous types.

Marcy cleared her throat. “You were both angry. So, did you sort things out after you argued about the etymology of the word ‘hinky’?”

Abby nodded emphatically, her ponytails bobbing wildly up and down. “Absolutely – he sulked for a while and did the passive-aggressive silent thing that he does, but we made up eventually.”

Tom picked up on the word ‘eventually.’ “Do you believe that before you made up, it affected your work or Agent McGee’s?”

“What? No. The atmosphere was super tense, but we were both working hard to hack the server. We did our jobs and we found the emails.”

~o0o~

After Abby had exited Morrow’s office, he looked across at the head of the Human Resources Department. “So, what do you think?”

The curvily built platinum-blond manager thought carefully before replying, “I think that their argument is very unfortunate timing, given the Inspector General’s review, but if Dr. Sciuto said that they managed to work together, then I’m inclined to believe her.”

She glanced across at the director. His somber mien and furrows between his brows, suggested he wasn’t so sure.

“You have doubts?”
“Yes, maybe. I believe that Dr. Sciuto believes that their argument didn’t impede their hacking, but I can’t see how it didn’t have some impact. More importantly, I’m inclined think that the Inspector General will rule that it did. But to be honest, Marcy, that isn’t really my main issue with our forensic scientist’s performance during the investigation.”

“How so?” Jacobs queried.

“The first real break in the case came when Abby discovered that the lieutenant’s D-link had been handmade of inferior grade material and had been substituted for the genuine one. The second break came when they identified the identity of the man sending Lieutenant Johnson the secret emails. The final catalyst which broke the case was when Agent Todd realised that an experienced SEAL who had been trained to rappel down cliffs, should have immediately noticed the switch.”

“Playing devil’s advocate here, how should Johnson have known about it, Director?” Marcy asked curiously.

“Easy, because aluminum is approximately one-third the weight of steel, so it would be extremely light by comparison.”

“Okay, I can see that,” the HR manager declared. “So, how does that connect to the IG’s review of the investigation, Sir?”

Morrow sighed. “Dr. Sciuto was working on the D-link for a considerable amount of time. With all her expensive forensic equipment, plus the fact that it isn’t the first time she’s had to process climbing gear because accidents do happen, why didn’t she ask herself why our SEAL didn’t notice the switch. SEALs are highly trained after all.”

Marcy frowned. “Doesn’t Agent Gibbs have advanced climbing training from the Corps? Shouldn’t he have picked up on that fact, too?”

“True. We all know that Gibbs has been so obsessed with finding the terrorist who infiltrated NCIS that he’s distracted, and that is something that I expect the IG will zero in on, too.”

*After all, it isn’t the first time he’s dropped the ball, lately, Tom admitted wryly.*

“But Dr. Sciuto contacted the manufacturer of the D-link to obtain the manufacturing specs. It would have had the weight of the D-link and she should have measured it when she was examining the evidence. Why didn’t she make a simple connection?”

“So, what? You’re saying that Abby didn’t pick up the discrepancy because of a fight?”

Tom rubbed his hands across his face before answering. “I’ve had reports from other agents who dealt with her that morning that prior to their etymological disagreement when they were hacking that Dr. Sciuto was distracted, preoccupied. The lab was sans her normal cacophony of sound she calls music.”

“What? Abby always has music playing. I’m constantly fielding complaints about it. It’s why we had to locate the lab techs into the extra space adjacent to the evidence garage because they claimed she played her music night and day and they couldn’t concentrate. People complained it was causing deafness and triggering migraines,” Marcy exclaimed, her brow furrowed.

“I am aware that it is out of character. It was the source of water cooler gossip, so can you see why I’m concerned that she wasn’t focused on her job and it affected her performance? The CIA will argue that we should have cracked this case as soon as we discovered the fake D-link. And it isn’t the only discrepancy with her work either.”
Marcy looked askance at her boss. “There’s more?”

Morrow scowled. “Unfortunately. According to Agent Todd’s report, Dr. Sciuto told her when she brought Johnson’s phone up to the bullpen that she was down in the evidence locker looking for a fingerprint kit when his phone started vibrating.”

Jacobs looked confused. “What? Why was the phone in the evidence locker? Surely it should have been in the lab, waiting for Dr. Sciuto to process it as evidence.”

“Exactly. Yet Abby failed to mention that the phone wasn’t in the lab when I asked her to detail the steps she took.”

The head of HR looked shocked, “What if she hadn’t been right there when the text arrived – that clue would have gone unnoticed until it was too late. It was pure luck!”

Morrow looked sick, “My thoughts exactly.”

Both were silent as they contemplated how close they’d come to not making the deadline before Tom spoke. “And apart from that pretty serious issue there are some additional critical questions that the inspector general will likely ask - why bring the phone to Todd who is merely a probationary agent? Why didn’t she process it and inform Gibbs or his second in charge about the findings?”

Marcy grimaced. “The IG will rightly point out that there was a breakdown in evidence processing protocols. Who placed the phone in the evidence locker? What if Dr. Sciuto hadn’t been standing right there when the message came in?”

Looking very disgruntled, Tom acknowledged, “Seeing that the MCRT managed to receive confirmation that it was suicide with ten minutes to spare before the mission would have been cancelled, I’d have to reluctantly say that the mission would never have happened.”

The HR manager looked grave. “Unfortunately, I’d have to agree with that assessment. Are you blaming Dr. Sciuto for the phone being incorrectly stored in the evidence garage?”

Tom pursed his lips before picking up the glass of water and drinking half of its contents. “That needs to be investigated fully, but in light of her other uncharacteristic lapses in professionalism, she would appear to be the most likely candidate.”

~o0o~

When Cate returned to the office, she noted the email requesting her presence for an interview with the director at 1600. That was less than one hour from now and Gibbs was on the war-path. She’d already had several hysterical calls form Abby while she was at the crime scene, but hadn’t been able to make head nor tail about what she was so upset about. Gibbs had caught her talking on the phone and threatened to insert her blackberry in a highly uncomfortable orifice unless she stopped taking personal calls when she was supposed to working.

Gibbs had transformed into a monster, practically foaming at the mouth, demanding that they find the answers to where Jayne and Lottie Greene had disappeared to. The LEOs had been throwing them looks of pity as he ripped into her and Tony for not having answers to Gibbs’ questions.

Finally back in the bullpen, she grabbed the evidence and told Gibbs that she would take it down to Abby. As she approached the elevator, Gibbs struck.

“Agent Todd,” his bellowing stopped her in her tracks. “I want you checking up on our victims’ family. DiNozzo can take the evidence down when he parks the truck.”
Desperate to find out what was up with the forensic scientist, Cate decided to take a chance. “That’s okay, Gibbs. I’ll be really quick.”

Snatching the plastic evidence box out of her grasp he scowled at her. “Didn’t realise you were calling the shots, Cate.”

Realising that she’d poked the bear, Cate lowered her head submissively. “Just trying to anticipate, Gibbs.”

“All ready told ya want I wanted. Either follow orders or go home, and don’t bother coming back,” he barked at her.

Doing a mental eye roll, she knew enough to give in. She’d have to catch up with her Goth friend later on. Maybe she could slip down to Abby’s Labby when Gibbs went on a coffee run. With a bit of luck, it would be before she had to go up to see the director. Speaking of... what the heck did he want to see her for? Had DiNozzo pranked her? She wouldn’t put it past him to set her up.

Poo-pooping her paranoia, she decided that the director might simply want to ask her advice about a protection detail or maybe one of the other teams needed her to do a profile for them. Sighing as she sat down at her desk, searching for information about their victims, the daughters of a naval commander who’d disappeared from the front lawn of their house. Seriously, if you weren’t safe on a Naval base then you weren’t safe anywhere!

Unfortunately, although Gibbs was on the war-path, he didn’t go out for a coffee run – he sent Tony instead, so Cate never had a chance to sneak down and find out what the bee was in Abby’s bonnet before she had to leave to head up to the director’s office. It was almost as if he’d sensed her intention and decided to thwart it.

Gibbs was also peeved when she told him that the director wanted to talk to her, but finally he relented and told her get back to work ASAP before he headed down to Autopsy. Reluctantly she started up the stairs.

~o0o~

Cate entered the director’s office, noting that Marcy Jacobs, head of the Human Resources Department, was also present, sitting and working at the conference table in Morrow’s office. Any thoughts that the director had invited her up here to ask her to lead a protection detail or to profile crumbled with the attendance of Jacobs at their interview. She quickly tried to figure out what had gotten her into hot water, but Director Morrow looked up and smiled at her.

“Probationary Agent Todd, thank you for coming. Help yourself to some coffee if you’d like some and take a seat,” he told her affably enough and she frowned, wondering what was going on.

“Thank you Sir.” She futzed around making herself a cup of coffee simply to buy herself some time, trying to control her anxiety – her hands shaking. She wasn’t completely oblivious to the fact that Director Morrow wasn’t her biggest fan. Still, she couldn’t put off taking a seat indefinitely. Sitting down, she looked over at Marcy and Morrow, waiting.

Tom cleared his throat and began. “Right, well, before we begin, I just wanted to compliment you, Agent Todd, on your contribution in closing the Lieutenant Johnson suicide. It was excellent work, questioning why the highly trained SEAL hadn’t noticed that the aluminum D-link which is significantly lighter than the steel one hadn’t been substituted. That and noticing that the Johnsons weren’t sleeping in the same bed. Well done!”
Cate felt her jaw hit the table in astonishment. She had NOT been expecting that. Picking up her jaw she tried to respond coherently. “Ah, thank you, Director.”

Morrow looked amused. “You seem shocked, Agent Todd. Perhaps you weren’t aware that the joint operation between the SEALs and the CIA was close to being called off, which would have impacted tragically on the hostages they were supposed to rescue. If the case hadn’t been solved to the satisfaction of the people coordinating the op, those people may have been killed.”

He glanced across at her and chuckled. “Perhaps your surprise is because Gibbs doesn’t believe in praising his people. I, on the other hand, feel that everyone deserves to know when they’ve done a good job – so, good job, Todd. I’ll be placing a commendation in your file for helping to save the lives of those hostages.”

Cate was staggered – Gibbs hadn’t acknowledged her contribution. He’d been too busy bitching about Johnson’s wife not telling them about her husband’s affair and was criticising Father Clannon for failing to tell them that Johnson was gay even if he was bound by the seal of the confessional. Cate had tried to explain that Father Larry couldn’t betray what someone had told him in confession, but Gibbs was stubbornly insisting that Johnson had confided in Clannon as a friend, not a priest – and even if he had, the lieutenant was dead and there had been lives at stake. He should have told them.

Hearing the director speaking, she tuned in. “This case was extremely important to our national security, as I said previously. SecNav has decided that it needs to be reviewed to examine what, if anything, the various groups involved could have done more effectively and referred the case to the Inspector General. Naturally, we would like to evaluate our own procedures prior to the IG’s review.”

Cate gulped. That didn’t sound good, but she realised that with the CIA involved, it was hardly surprising that there would be an investigation how a gay SEAL had managed to slip under the radar. The CIA definitely ended up with egg on their faces after insisting they’d thoroughly vetted everyone. They’d want to deflect the blame, if there was blame to be delivered, to anyone but themselves and NCIS would be a convenient sacrificial lamb if they didn’t have everything ship shape. And with such a huge operation, there would be plenty of people looking to apportion blame.

Marcy nodded and said, “We’ve had several people privately express concerns about Dr. Sciuto during the investigation of Lieutenant Johnson’s death. They felt she was withdrawn and distracted and behaving out of character.”

Cate looked wary. “I don’t understand why you are telling me this, Ms. Jacobs.”

Marcy smiled at her calmly. “Because you were down there dropping off evidence from the Lieutenant Johnson crime scene. I was hoping to get your opinion on how she seemed.”

The former Secret Service agent got a fluttery feeling in her gut, like she’d inadvertently swallowed a bunch of dragonflies that were trying to escape from her stomach but got trapped. No wonder Abby had wanted to talk to her – they needed a scapegoat. Well, she was darned if she was going to rat out Abby; the powers that be could kiss her backside.

“She seemed okay to me, but I just dropped the evidence off and went straight back to the bullpen. I didn’t have a chance to chat.”

“Do you remember if that evidence included Lieutenant Johnson’s phone, Agent Todd?” the director pressed her gravely.
Looking at him curiously, she nodded. “Yes, of course, it was in there with everything else, Why do you ask?”

“Because somehow it ended up in the evidence locker and the IG will want to know how it got there,” he responded wryly.

Cate turned pale, realising how serious a lapse that was.

“It was definitely in there when I delivered the evidence to the lab,” she blurted out before grasping that she had probably dumped Abby in it.

Jacobs gave her an enigmatic look. “Are you sure you didn’t speak to Dr. Sciuto?”

Cate was about to deny speaking to Abby when she realised it was a trap. Relieved that she had realised it in time, she said, “Well, we obviously spoke when I delivered the evidence and signed the chain-of-evidence log and she receipted it, but that was it. We probably exchanged about ten words before I went upstairs. Gibbs was a bear with a sore paw and I knew he’d be on the war-path, so I rushed straight back up to the bullpen.”

Cate dissembled, forgetting the first rule if you wanted to lie successfully – answer only the questions you were asked and keep information to a minimum. Never give extra facts. “He was desperate to solve the case... so, I didn’t dare chat with Abby.”

This time her reply was met with silence while the director and Jacobs exchanged impassive looks before Marcy replied, “I realise that you and Dr. Sciuto are good friends, Agent Todd, but you might want to rethink your answer. May I remind you of the oath you took?”

Cate was going to hotly deny the implication that she was not telling the truth, but the director interrupted before she could take offense for being accused of lying when she was... um, well, lying.

“If you’d bothered to read your inter-office memos, Probationary Agent Todd, you’d know that after the security breach last year in Autopsy, the agency placed security cameras into Autopsy for employees’ safety. And not only Autopsy, but all the other forensic and evidence processing and storage facilities, including the garage and Dr. Sciuto’s lab, too, so they had the same security as other departments.”

Cate winced mentally. Nice one, Cate. How could she have missed the memo? It made perfect sense that NCIS would upgrade their security measures. After all, Gibbs and Gerald were shot and the FBI Hostage Rescue Team lost agents.

Marcy cocked a coiffured eyebrow at her. “According to security footage, you spoke to Dr. Sciuto that morning for considerably longer than the time it took to sign in and receipt the evidence in the Lieutenant Johnson case. Perhaps you can shed light on her demeanour.”

Knowing that Abby had been downhearted and distracted, upset about McGee’s emotional neediness and his passive-aggressive reaction to her not saying she really LIKED him back, Cate was really reluctant to answer the question.

Guys! They could be such sooky little babies. Besides, so darned what if Abby was pissed off about her date the night before – didn’t mean that it stopped her doing her job.

“Yeah, you’re right, I remember now,” she tried to extricate herself from the web of lies she’d spun. “We did chat for a while, but she was fine, definitely not distracted.”

Director Morrow sighed. “What did you two chat about, Agent Todd?” he asked.
“It was a personal conversation, Director. We have a right to our privacy.”

Marcy rolled her eyes exasperatedly. “First off, you were both at work and, therefore, supposed to be…” she paused dramatically for effect, “working. You want to have a private conversation while you’re at work, then wait until you are on an official break. Second point, if you want privacy, then don’t do it in a workspace that has security cameras filming you.”

Cate didn’t like it, but she knew that Jacobs was right; having a private conversation during work time in a lab that was under video security surveillance had pretty much negated her and Abby’s privacy. Not to mention a pretty dumb move.

Even if she stuck to her guns and refused to recount the contents of their conversation on the agency’s dime, with the footage they could just bring in a lip reader. Much as she wasn’t happy to be helping to throw her friend under the bus, she also didn’t want another black mark against her professional record.

Shrugging, she glared at the director and his HR lackey and proceeded to give an account of the discussion she and Abby had after she’d inquired why Abby was clearly upset about something. She didn’t like it, but she didn’t really have any choice.

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Marcy looked at the director after Cate had made a rather huffy exit from his office. “Well, it looks as if our suspicions were correct. Dr. Sciuto was distracted and upset. Somehow, she sent the phone to the evidence garage by mistake. It also explains why she never picked up the fact that the aluminum D-Link was so much lighter than the steel one when she contacted the manufacturer to get specifications on the D-link.”

Morrow looked grave. “Yes, but I wish we weren’t correct. It looks bad.”

The head of the HR department looked at the director. “The Inspector General is going to zero in on this, isn’t he?”

“Oh, yeah. We need to get in first and identify it at the onset and also come up with a procedure to ensure this doesn’t happen again.”

Marcy chuckled. “Why, Director, are you advocating we adopt Agent Gibbs’ Rule 12 – never date a co-worker?”

Tom glared at Jacobs. “You know that Rule 12 isn’t enforceable, Marcy. Unless you are a supervisor having a relationship with a subordinate. But we need a set of guidelines for NCIS employees who are dating to protect them against accusations of impropriety or negligence, but also ensure these sorts of errors don’t occur again, if we can help it. Can you start drafting something ASAP?”

Jacobs nodded slowly. “I’ll have my department get started on it right away, Sir.” She seemed to be considering something. “One thing I don’t get, though. If Gibbs has a rule about not dating co-workers, why did he deliberately call in Agent McGee and insist that he work with Dr. Sciuto? Did he not know they were dating?”

The director looked pensive. “I can’t believe Gibbs doesn’t know what is going on with his team – he spends enough time creeping around spying on them.”

“So, why didn’t he tell them to stop or assign another computer savvy agent to assist Dr. Sciuto? We have cyber-crime and IT that could have stepped in to help.”
“True,” Morrow conceded, “But technically, McGee wasn’t on Gibbs’ team so maybe Gibbs decided that Rule 12 didn’t apply to him.”

Marcy humphed, exasperated. “Are you aware that Agent McGee had been temporarily assigned to the major case response team to assist eight times in the last seven months?”

Tom was surprised that it was so much, but he wasn’t about to dispute the statistics with the head of Human Resources. If anyone would know, it would be Jacobs, since she would have to organise personnel and approve travel allowances and so forth.

“However, in the last five weeks, Gibbs has requested him five times,” she informed him, rolling her eyes as they both chorused, “Gibbs and the Autopsy Terrorist,” as he had been dubbed.

Wow, he hadn’t realised it had been quite that frequent since the siege that had sent Gibbs off on an obsessive quest. Still... it did go some ways to explaining why the Commandant of the Naval Station Norfolk was getting on Tom’s last nerve about the NCIS office not being manned a lot of the time. Understandable, really.

“Okay, let’s talk about the set of guidelines for employees dating or having relationships with other NCIS personnel. I’d like to have a draft ready to submit to the IG during the review process.”

Marcy pulled out a legal pad and pen. “Anything that you particularly want to be included in the Employee Dating Guidelines, Director?”

Tom considered the question. His forte didn’t lie in drafting Human Resources policies; nevertheless, there were a few things that he thought were critical for them to incorporate. “Well, I think we need to include a clause that when an employee enters a relationship with another NCIS employee, they need to inform their direct supervisors.”

Marcy noted it down and looked at her boss expectantly.

“And we need to outline that supervisors will, at their discretion, allow the partners to work together in limited situations, provided that their performance and competence isn’t compromised or if it is deemed that it is, transfer one or both to other duties or jobs.” He looked at her and shrugged his shoulders. “I’ll leave the finer details to your department to iron out.

She nodded. “Absolutely, it will have to state that any transfers won’t result in career or financial disadvantage. Anything else?”

Tom thought about it. “Well, I guess we need to iterate that field agents who are dating, in a relationship/married cannot serve on the same field team for obvious reasons. Of course, direct supervisors can’t date/have relationships with subordinates that are directly under their control.”

“Oh, of course,” Marcy acknowledged – that went without saying. “I’ll get right on it, Sir.”

Watching the head of the HR department exit his office, Tom sighed and pulled out his calendar. He still needed to schedule interviews with DiNozzo, McGee, Dr Mallard and Gibbs. Jethro’s was going to be bitch – he didn’t like having to justify his actions…well too bad. The Inspector General, trumped Bastard Gibbs hands down.

Running his hand over his bald dome, Morrow knew that this was going to be a helluva black eye for the agency.

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Two weeks later:

Tom Morrow cut into his succulent piece of salmon and smiled at his wife, Lynnette appreciatively.

She gave him a knowing look. “Bad day, Darling?”

Tom chuckled wryly. “You could say that, Sweetheart. The Inspector General’s report was released today. Finally,” he replied.

Lynette laid her hand over her husband’s. “Was it as bad as you expected?” she asked solicitously, knowing that her husband had been dreading the findings.

“Yes and no. We copped a pretty big black eye and the CIA also got an exceedingly bloody nose from the IG’s review of the case. They’d claimed to have vetted the SEAL team thoroughly in the months leading up to the mission and yet they had no idea that Johnson was cheating on his wife with a man. Collier asked them what else they might have missed.”

His wife snorted at that observation. If he was being scrupulously honest he would have said that his wife snorted inelegantly but as a married man, he knew that Lynnie would protest strenuously that she was the epitome of elegance and she’d sniffed not snorted.

Moving on he said, “Overall, the findings were mostly what the head of Human Resources and I had anticipated with the exception of one of his findings. I really didn’t see that coming. Still, being right about the findings doesn’t mean that it isn’t a blow to the agency.

“He found that NCIS should have determined that Lieutenant Johnson, all things being normal, should have noticed the substitution of the lighter D-link. The IG was critical of Abby Sciuto’s examination of the evidence saying that she had the manufacturer’s specifications plus the professional knowledge that steel was significantly heavier than the switched aluminum one which failed during Johnson’s assent.

“He was also highly critical that Gibbs as a former gunnery sergeant in the Marine Corps and trained in rappelling cliffs, hadn’t noticed the discrepancy in weight when he bagged and tagged the D-Link.”

Lynette nodded. “Fair enough, Mo. What about the holdup in hacking?”

Morrow smiled briefly at his wife’s use of her pet name for him, Mo short for Morrow (or it might have had something to do with an ill-fated arrangement of facial hair back in the eighties when he also had a full head of curly brown hair*) before answering her question. “Yeah Lynnie, he also ruled that the delay in determining the origin and identity of the mysterious emailer was likely to have been a significant factor in the failure to satisfactorily rule the case a suicide and scathing about the fact that the phone almost wasn’t processed since it was relegated to the evidence garage by mistake.

“He was also highly critical of Gibbs for bringing in Agent McGee, which delayed the process because he had to travel up from Norfolk – costing at least three and a half hours. A decision which the IG claimed was negligent and bordering on imbecilic considering the extreme time constraints they were operating under. Particularly when there were other computer experts at NCIS who could have been working on it at least three hours earlier.”

Lynette frowned. “I though Timothy McGee was a genius, Tom?”

Tom glanced at his beloved wife. “Computer geniuses are a dime a dozen, Lynnie. A couple of years out of college and they are quickly surpassed by the next generation of cyber geniuses. They burn bright and burn out even quicker and unless they are constantly updating their skills someone
younger and smarter is always nipping at their heels waiting to take their place.

“So, today’s computer genius is tomorrow’s over the hill computer has-been?” Lynette asked skeptically.

Shrugging, Tom said, “That’s what they tell me. It’s a young person’s game, especially for hackers.”

Lynette frowned. “That’s so sad if it’s so.”

Tom nodded, “But that aside, even if we didn’t have anyone who could match his calibre in Cyber Crimes or IT – this is DC and there would have been someone at one of the alphabets that did or even nearly did. Gibbs should have requested assistance from one of our sister agencies, but he doesn’t like to share jurisdiction with anyone else. The IG ripped him a new one over it, too.”

His wife considered it. “Well, I can understand why – three hours is a long time to wait for someone if there were other options that could have been taken.”

“You’re right – and he also pointed out that it isn’t the first time that McGee has been called in by Gibbs when a time delay was critical and cost lives. Collier was scathing about Gibbs waiting when DiNozzo had been drugged and abducted by a serial killer and incarcerated in the sewer system deep below the city. The IG pointed out that it wasn’t as if Gibbs had even tried using available resources in the past or even let them attempt to work on the problem while waiting for McGee to arrive.”

Tom thought about the roasting NCIS had copped, particularly Abigail Sciuto for the phone ending up in the evidence locker where it was very nearly overlooked as a clue except for sheer luck in her being in the right place at the right time when the text arrived which caused it to vibrate.

“Did the Inspector General have anything to say about Dr. Sciuto and Agent McGee and their lovers’ spat?” Lynette asked curiously, knowing that her husband and Marcy Jacobs had worked extremely hard on the dating/relationship guidelines they’d developed to address some of the issues that had arisen due to this case.

“Oh, hell, yeah, Lynnie. Collier was caustic. He ruled that the star-crossed lovers fighting when they were supposed to be working was unforgivable and unprofessional. He also ruled that Dr. Sciuto allowed it to interfere with her conducting herself in a professional manner and thereby it contributed to her missing a crucial clue about the weight of the D-Link that could have closed the investigation many hours before. He recommended that they not be assigned to work together in future.”

“What did he say about your guidelines, Hon?”

Morrow frowned. “Oh, he agreed that they were necessary, said he was pleased that we’d realised that we needed to manage our resources better. Was vitriolic about Gibbs telling people they couldn’t date co-workers – said it wasn’t legal, but then pointed out that he was hypocritical as he hadn’t enforced the rule anyway since McGee and Sciuto were going out together.”

“Maybe he didn’t know.”

“Oh, yeah, he knew. He knew that McGee got a tattoo on his butt to impress her, so she’d go out with him.”

Lynette’s expression was priceless. “You are joking, Mo?”

He chuckled. “Seriously, I kid you not.”

“How did he know?”
“Not sure, to be honest,” he told his wife.

“Does she really sleep in a coffin, Mo?”

Shaking his head, he shrugged. “According to the water cooler gossip. They also claim she has sex in it, too.”

Looking outraged his wife stated firmly, “Sex in a coffin that’s really gross.”

Tom shrugged. He had to admit it wasn’t exactly on his bucket list either.

“Well, maybe Gibbs doesn’t feel like McGee is on his team,” Lynette returned back to finding a motive for Gibbs ignoring his own rule about dating – Rule number 12.

Tom shook his head. “According to Collier, when Gibbs tried that excuse to explain why he didn’t enforce Rule 12 with McGee and Sciuto, that didn’t wash with the inspector general. As he pointed out, Jethro expected McGee to observe his other rules such as Rule 6 and Rule 3.”

“So why? Is it because he treats Dr. Sciuto like a surrogate daughter and gives in to her when she wants something?”

Tom chuckled, knowing there was more than a grain of truth in her hypothesis. “Who knows… but it’s as good a reason as any since Gibbs isn’t saying.”

Finishing up her own salmon steak and artichoke salad, Lynette returned to the guidelines on staff relationships. “Still, at least the IG recognised that you are taking steps to ensure what happened this time won’t happen again.”

Morrow shrugged. “The guidelines won’t guarantee that it can’t happen again, but it makes it less likely, plus the IG has given everyone a wake up call that lovers’ spats are not an excuse to not focus on the job you’re employed to do. Both Sciuto and McGee have earned a censure on their personnel records – hopefully, that will also serve as a warning to others, but time will tell.”

As they cleared their plates and stacked the dishwasher, Lynette poured a dessert wine and dished up a piece of apple pie and they returned to the dining table. As Tom shovelled the largish piece of pie into his mouth, savouring the sweetness of the shortcrust pastry and the tartness of the apples, she sipped her wine, happy to see her husband enjoying her home baked pie.

Tom looked over at the ash blonde and grinned. “Excellent dinner, Lynnie,” he complimented her. “Your pie is a work of art.”

Smiling at the compliment, she nodded. “Thanks. What was the consequence that you never saw coming?” she asked, returning to the review which had been the focus of much of her husband’s energy these last couple of weeks.

Tom stuffed another spoonful of pie and ice cream into his mouth. “Collier found overall that Special Agent Gibbs dropped the ball on the case, missed an obvious red flag about the D-link, ignored the interpersonal issues that were going on between key personnel, made decisions that were flawed such as wasting more than three hours calling in McGee rather than utilising personnel who were much closer, plus a bunch of additions issues.”

Lynnette raised an eyebrow. “Which were what?”

“Jethro’s unreasonable irritability when he and DiNozzo checked out the lieutenant’s garage caused him to miss finding the tools that Johnson used to make the fake D-link, which took about five
seconds to find when they went looking for them a second time. If another agent had messed up that badly in a search, Gibbs would have fired them and kicked them all the way to Alaska.”

“So, how did Gibbs miss it?”

“Apparently DiNozzo was waxing lyrical about the lieutenant’s car and that got on Agent Gibbs’ nonexistent nerves. He checked out the garage and Tony checked out the locks to see if there was evidence of forced entry – which there wasn’t, and then Gibbs hustled him out of the garage before Tony could bore him with details about the car. Which brought the inspector general to the big issue in the room that everyone has been avoiding.”

Lynette cocked her head and raised her eyebrow adorably. “And that is?”

Sighing, he responded, “Collier was highly critical of Gibbs’ performance as team leader. Claimed that he was compromised due to him not getting enough time off the job. He examined the security logs and was scathing about the number of hours he spent at NCIS – noted that since the terrorist siege, he basically lives there. Not enough sleep and not enough breaks resulted in him dropping the ball, not just on this case, but previous ones.”

Lynette looked at her husband. “That can’t have come as a shock, Mo. You’ve been worried by his obsessiveness for weeks. You discussed it with SecNav.”

Morrow’s face darkened. “True and he ordered me to leave it alone. Was told that he was like this with the Kyle Boone serial murder case and he solved it, like he would this one,” he complained tiredly.

“But he wasn’t running a team when he cracked that case with Boone, was he?”

“No and Collier was quick to point that out too when he raked him over the coals and me too for not putting a stop to it. Collier reminded him that he a senior supervisory agent now – responsible for the welfare of other agents. He ripped into him for ignoring SOP when he sent Agent DiNozzo out without backup to collect a SEAL who at that point in the investigation, they suspected could have been the killer.”

Tom scowled, angry that Gibbs would do this after the fiasco with Vanessa the bartender who turned out to be a serial killer who drugged and kidnapped DiNozzo because he didn’t have another agent to watch his back.

“He read him the riot act about it not being the first time Jethro had endangered his team by ordering them to go out into the field without backup and listed a raft of examples. And then he brought up the example of Agent Pacci - lectured him about how dangerous it is for an agent to not have backup when they’re in the field.”

Lynette grimaced, knowing Chris’ death was a touchy subject with Jethro. “What was Gibbs’ response to that, Mo?”

Tom chuckled mirthlessly. “Said that Agent DiNozzo was an undercover specialist and used to working without a safety net. Collier slapped him down – said that it was regrettable when someone was deep undercover and didn’t have backup, but that it was sheer lunacy not to provide backup to any agent doing field work, no matter how experienced they were. He called him negligent in his duties as team leader and reminded him that Chris Pacci was a highly experienced agent who would still be alive if he’d had someone watching his back.”

Lynette pulled a face, indicative of agreement. “Well, it’s true. What about it surprised you?”
Her husband grinned maliciously. “When Collier raised his suspicions that Gibbs might not be playing with a full deck, based upon his behaviour following the siege. He questioned if he was fit for duty and ordered him to obtain medical and psychological clearance to prove his fitness to continue field work.”

“Wouldn’t he have to had medical and psych clearance after he was shot?” Lynette asked.

Her husband nodded. “Yes, but the Inspector General wanted a second opinion – one that wasn’t associated with NCIS. Said he may have been fit for duty when he came back initially, but all the extra hours with no proper sleep or meals suggested he was mentally and physically compromised. And with the number of mistakes he’s made lately, it was a reasonable assumption.” Something about Tom’s expression tipped Lynette off that the simple directive hadn’t been so simple.

“And so, what happened? Gibbs got the clearance, right? After all, he didn’t have a choice if he wanted to maintain his field agent status.”

“Nope. Ignored it. Claimed he’d already been cleared to return to duty.”

Noting the strange expression on Tom’s face, she asked, “What happened?”

“Based on the hours Gibbs has worked since the siege, the lack of sleep, and his refusal to follow orders, not to forget the epic tantrum he threw in the hearing, ranting that he only had to follow his own rules, the inspector general had him declared mentally incompetent. A psychiatrist had him committed to Bethesda on an emergency petition.”

“When he learnt that Gibbs had been blown up last year in Rota and received a head injury, the IG and the doctors at Bethesda decided he also needed to be investigated for a closed head injury, too. They ordered a full medical and psychological workup.”

Both Morrows were silent as they imagined Gibbs having MRIs, looking at Rorschach ink blots, taking part in group therapy (or not), or even being restrained when he wasn’t complying.

Honestly, with his stubborn refusal to accede to higher authorities, Gibbs could be stuck in the Bethesda psych ward for an extended stay. At least they would make sure he got adequate rest and food, since apparently Gibbs’ blood work was all over the shop, probably due to his burning the candle at both ends and getting most of his calories out of a cup of caffeine or a bottle of bourbon.

Sighing as he pulled out his phone, Tom showed his wife a deeply disturbing video of a foaming at the mouth Leroy Jethro Gibbs restrained in a strait jacket as he was escorted out of the hearing on a gurney, screaming obscenities at the inspector general about being above the law.

The NCIS director was wondering who he could assign TAD to the major case response team to assist DiNozzo until or if Gibbs was found to be competent to return to field duties.

Chapter End Notes

* Alan Dale the New Zealand actor who played Tom Morrow had a tight mop of brown
curls back in the early eighties during his stint in an Aussie soap – The Young Doctors which screened from 1976 – 1983. If you're interested to see him back then, Google Alan Dale playing Dr John Forrest.

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