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**C10**

SWORN STATEMENT

For use of this form, see AR 190-45; the proponent agency is PMG.

PRIVACY ACT STATEMENT

AUTHORITY: Title 10 USC Section 301; Title 5 USC Section 552a; E.O. 12958 Dated November 18, 1998 (2000).
PRINCIPAL PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately identified.
ROUTINE USES: Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval.
DISCLOSURE: Disclosure of your social security number is voluntary.

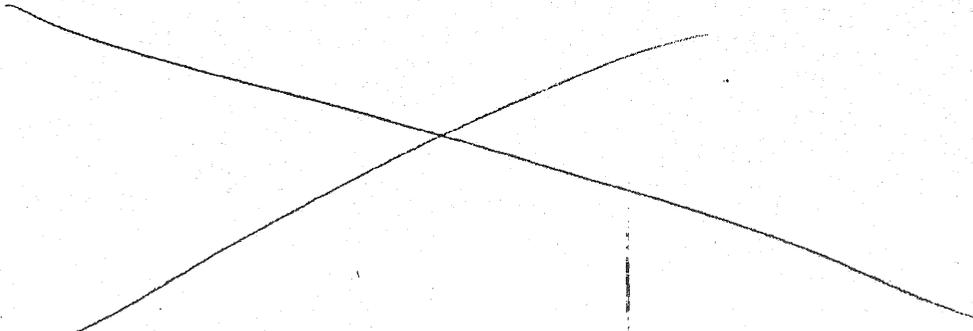
1. LOCATION: OSEA, Fort Bragg, NC
2. DATE (YYYYMMDD): 2007 02 11
3. TIME: 1630
4. FILE NUMBER:
5. LAST NAME, FIRST NAME, MIDDLE NAME:
6. SSN:
7. GRADE/STATUS:

8. ORGANIZATION OR ADDRESS: XVIII ABN CORPS, FT. BRAGG, NC

9. I, [redacted], WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

I verify that the attached summarized testimony is an accurate representation of the interview which occurred between myself and the Investigating Officer, [redacted], on 9 AUG 06. I (consent/do not consent) to the adoption of this testimony as part of the Office of Special Counsel investigation for which I was interviewed. I would like to clarify or add the following additional statement concerning this matter. - the attached testimony is twenty-seven (27) pages of typed discussion, entitled "Sworn Testimony of [redacted]", dated 9 Aug 06 and signed by [redacted]; and, a typed MFR dated 29 Dec 06 containing summarized testimony taken 09 Aug 06 (from [redacted]); and typed MFR dated 29 Dec 06 containing summarized testimony from 22 Dec 06 (from [redacted]).

Nothing Follows



10. EXHIBIT: 1 [redacted] ON MAKING STATEMENT PAGE 1 OF 2 PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF [redacted] TAKEN AT [redacted] DATED [redacted]"
THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE INDICATED.

EXHIBIT C-10

STATEMENT OF [REDACTED] TAKEN AT Fort Bragg DATED 11 Jan 07

9. STATEMENT (Continued)

~~NOTHING  
FOLLOWS~~

**AFFIDAVIT**

I, [REDACTED], HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 2. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

WITNESSES:

\_\_\_\_\_  
\_\_\_\_\_  
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ORGANIZATION OR ADDRESS

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ORGANIZATION

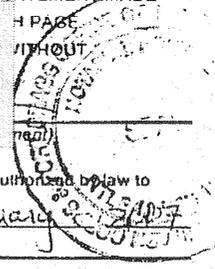
INITIALS OF PER

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 11th day of January 2007 at Fort Bragg NC

[REDACTED] (Signature of Person Administering Oath)

(Typed Name of Person Administering Oath)

Judge Advocate CPT  
(Authority To Administer Oaths)



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SWORN TESTIMONY OF

(b)(7)(C)

W: COL James H. Huggins, III, IG 18th Airborne Corps

Case - DIH 06-xxxx

IO: The time is 15:16 Eastern Time. This tape recorded interview is being conducted on 9 August, 2006 at Fort Bragg, North Carolina. The persons present are the subject, (b)(7)(C) the Investigating Officer, (b)(7)(C) This inquiry was directed by the FORSCOM Inspector General and concerns allegations and then I'll go ahead and, and read all the allegations, sir, indulge me... (IO NOTE: REMOVED IRRELEVANT TESTIMONY HERE)

W: Yep.

(IO NOTE: REMOVED IRRELEVANT TESTIMONY HERE)

IO: So since I will ask you to provide your social security account number to identify you as the person testifying, I've provided you a Privacy Act Statement. Do you understand it?

W: Yes.

(IO NOTE: REMOVED IRRELEVANT TESTIMONY HERE)

IO: Before we continue, I want to remind you of the importance of presenting truthful testimony. It is a violation of federal law to knowingly make a false statement under oath. Do you have any questions before we begin?

W: No, I have no questions.

IO: Please raise your right hand.

W: All right.

IO: Do you swear that the testimony you're about to give shall be the truth, the whole truth, and nothing but the truth so help you God?

W: Yes, I do.

IO: Okay. For the record, please state your name?

W: I am James H. Huggins, II, IG 18th Airborne Corps.

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(b)(7)(C)

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W: Army [REDACTED]

IO: And your organization?

W: HHC 18th Airborne Corps, IG.

IO: Social security number?

W: Social security number is [REDACTED]

IO: And your home or office address?

W: Office address is corner of [REDACTED]

Fort Bragg, North Carolina.

IO: And...

W: I do not know the building number.

IO: Telephone number, home or office?

W: Telephone number here at the office is commercial [REDACTED], DSN [REDACTED]

IO: Okay. Actually, we'll do some questions here. First of all if you could just let me know how long have you been the principle primary IG here at 18th Airborne Corps?

W: Since I attended IG School in March of '02.

IO: Okay, and you reported here...

W: ~~Like~~ February 02.

IO: Okay, so you came, reported as the IG and then went to school [ ]...

W: No, actually a went later.

IO: So about February, March '02?

W: (Affirmative)

IO: So it's been more than four years?

W: Correct.

(IO NOTE: REMOVED IRRELEVANT TESTIMONY HERE)

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[REDACTED]

1 IO: Okay. Got it. Do you remember the, and I'll, and I'll try, and I will walk you to...

2  
3 W: Yeah.

4  
5 IO: where you can get to recollection I guess.

6  
7 W: I appreciate your help, yeah.

8  
9 IO: A case with [REDACTED] where she's a soldier that was in the 35th Signal  
10 Brigade that had made allegations of assault against [REDACTED] while, I think it was the first  
11 time that they were in Iraq and that she alleged that there was a commander's investigation  
12 done of some sort by [REDACTED] and [REDACTED] had covered it up that [REDACTED] had  
13 assaulted her. They returned back here to Bragg. She then goes on to make along with that  
14 allegation to your office an allegation that [REDACTED] had had an inappropriate relationship  
15 with, I believe it was an NCO or somebody within his battalion.

16  
17 W: Other than this [REDACTED]

18  
19 IO:: Other than this [REDACTED]

20  
21 W: Okay.

22  
23 IO:: Do you remember this case?

24  
25 W: I have some sporadic recall. I remember a case coming here to the desk of [REDACTED]

26 [REDACTED] we called [REDACTED] and [REDACTED] called [REDACTED]

27  
28 IO: Right.

29  
30 W: Because their desks were...

31  
32 IO: This...

33  
34 W: they were side by side.

35  
36 IO: This case was...

37  
38 W: The NCO said that the battalion commander, [REDACTED] had, had, in effect, I  
39 don't know if that was their words or not...

40  
41 IO: (Affirmative)

42  
43 W: because I wasn't there when they brought the case in assaulted a soldier in Iraq. I don't  
44 recall if they said who it was or... I, to be honest with you, I would remember it as being  
45 somebody's driver or something, some...

46  
47 IO: Yeah, but yeah, it was the complainant that walked in.

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W: Yeah.

IO: She, she said he assaulted her.

W: (Affirmative) I, I came into contact with this case later. This soldier was not present. I walked over to see [REDACTED] and [REDACTED] because that's how I found out what they were doing.

IO: (Affirmative)

W: Normally they were very...

IO: Well initially [REDACTED] had this case because this was late...

W: Yeah.

IO: it was like October '04 just prior to his departure. He worked it up to a point and it was I believe...

W: Probably...

IO: turned over to [REDACTED]

W: turned over to [REDACTED] or maybe Major then, Major, [REDACTED], but probably once again, [REDACTED] took the initial complaint.

IO: Right.

W: Because [REDACTED] likes to do that to see if there's something in it for him. [REDACTED] has a, an opinion about the chains of command and the 20th Air Brigade and the 30th Signal Brigade... *Engineers* [REDACTED]

IO: (Affirmative)

W: that they need his, he needs to police their act. That they're all incompetent and under trained and should be, in some cases, relieved.

IO: (Affirmative)

W: He has a very... we had to watch him. [REDACTED] is a, is out after the senior leaders in the 35th Signal and [REDACTED] Engineers.

IO: However you need to respond to the...

W: Yeah.

IO: unfavorable information.

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[REDACTED]

1

2 W: Yeah.

3

4 IO: That you either directed or would not allow the reporting of these allegations to DA/IG  
5 against [REDACTED]

6

7 W: Boy that...

8

9 IO: in a timely manner.

10

11 W: that makes no sense at all.

12

13 IO: Yeah. Okay, do you ever remember directing anyone, hey, don't report these allegations  
14 against this Lieutenant Colonel?

15

16 W: Absolutely not. That would be ludicrous. The most we've done is I've said once again,  
17 trying to get [REDACTED] off the dime, [REDACTED] do some IG/PA, do it now. I remember, in  
18 fact, taking [REDACTED] with me, going to the CG's office and getting a signed  
19 investigation directive and we came back here and [REDACTED] said, unless you see a  
20 problem, I'm going to wait until next week to start contacting witnesses and scheduling them  
21 for interviews. I was absolutely astonished that he would do that for two reasons. One, it  
22 involved a senior leader and we were beyond the point of IG/PA trying to figure out if, if...

23

24 IO: You were astounded by what?

25

26 W: I was astounded that we would just sit and wait.

27

28 IO: (Affirmative)

29

30 W: That we had, we had allegations against a senior leader that IG/PA determined that, if not  
31 in fact in, in perception the word in the unit was this had all happened. You know, conduct  
32 unbecoming a battalion commander...

33

34 IO: (Affirmative)

35

36 W: on the part of [REDACTED] I didn't know him. I couldn't pick him out of a line up of  
37 two people, but the word was out on him on post, I assume [ ], that he had gone through a  
38 pretty ugly divorce and that he might have a girlfriend. Perception, once again to be  
39 determined by fact finding.

40

41 IO: (Affirmative)

42

43 W: Not only limited to that, but that [REDACTED] battalion, 51st Signal, was scheduled  
44 to deploy to OIF on or about New Year's Day and here we were in late '04 and [REDACTED]  
45 wants to take a slow, typically slow, measured, no confrontational approach towards gathering  
46 evidence and, oh by the way, remembering that IG materials can't be used for adverse action.

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[REDACTED]

1 We're just going to find out if there's fire behind the smoke and then we've got to get a  
2 commander inquiry and the CG's going through pre-deployment motions.

3  
4 IO: (Affirmative)

5  
6 W: So to tell anybody not to report this to DA/IG is completely inconsistent with any  
7 thoughts I might have had about the topic now or at that time because, you know as well as I  
8 do that when units are in a pre-deployment mode...

9  
10 IO: (Affirmative)

11  
12 W: and, and the other 35th and other MSC's deployed in October or November, not in  
13 January like the corps headquarters did. So 35th was moving out, 51st soon to follow, and if  
14 I'm going to lose a battalion commander or otherwise upset his command climate, I think I  
15 ought to do it now and we give him time to recover from it or get a new guy in there.

16  
17 IO: (Affirmative) [redacted] [redacted]

18  
19 W: A new <sup>Commander</sup> command, guy or gal. No. Categorically deny ever <sup>telling</sup> tell anybody not to call  
20 DA/IG.

21  
22 IO: Okay.

23  
24 W: That's, would serve no purpose. We, we knew this...

25  
26 IO: Okay.

27  
28 W: at least had perception truth if not fact.

29  
30 IO: When you look in the...

31  
32 W: In fact, if I may interrupt you.

33  
34 IO: Sure.

35  
36 W: I also clearly remember talking [redacted] the brigade commander, and let him  
37 know that we were on track for directing an investigation and he told me that, as an implied  
38 task, he assumed responsibility for talking to signal branch, tell them they better line up the  
39 next commander of the 51st, because he thought it was serious enough to where he wasn't  
40 sure what [redacted] would have to do.

41  
42 IO: Do you remember who ended up doing the investigation of that? 18th...

43  
44 W: Who investigated the 51st Signal Battalion commander? I think it was my good buddy  
45 [redacted] out of 18th [FA] Brigade.

46  
47 IO: And that was as appointed by a 15-6 from the [redacted]

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1  
2 W: Yeah, right.

3  
4 IO: So [REDACTED], another brigade commander, is investigating this. However, when  
5 did, within this complaint...

6  
7 W: Yeah.

8  
9 IO: once again, if you remember back, there was a, the complainant made an allegation that  
10 [REDACTED] had covered up an assault charge in Iraq. However, when you go look at the  
11 request for the directive, that piece was handled as an issue and you look in the ROII...

12  
13 W: Yeah.

14  
15 IO: and it's addressed as an issue, did the 35th Signal Brigade commander appropriately  
16 conduct an inquiry of assault against the complainant [REDACTED] rather than where was the  
17 allegation? And if you said the brigade commander...

18  
19 W: Yeah.

20  
21 IO: covered up something or handled it as an issue, do you remember ever being involved in  
22 that decision process or directing that it would be handled as an issue not as an allegation?

23  
24 W: No. I, no, that would, I would have to ask [REDACTED] why that was determined to be  
25 an issue as opposed to an allegation. I wouldn't, I don't know...

26  
27 IO: Okay.

28  
29 W: what evidence he would have had or, or what statements. Because I remember...

30  
31 IO: (Affirmative)

32  
33 W: a husband came in, assigned to the 82nd Airborne Division, the husband was the spouse  
34 of the NCO who allegedly had the extramarital affair with the battalion commander. So, and  
35 he was very, very reluctant to play because he was concerned that when this all shook out,  
36 there'd be careers lost, not [REDACTED]. So, but we were in the pre-deployment mode. In  
37 fact, I had gone TDY to Fort Campbell to sort out things with the 101st, went to take care of  
38 my mother and shoulder surgery and [REDACTED] was running that. I would have to defer  
39 to him to tell him why was that an issue...

40  
41 IO: Okay.

42  
43 W: and not an allegation and.

44  
45 IO: And my looking at the case, it shows that the allegation was substantiated against, a  
46 couple of allegations were substantiated against [REDACTED] for an inappropriate  
47 relationship...

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1  
2 W: You bet.

3  
4 IO: not adultery and there may have been something else, but then also the investigating  
5 officer found out that [REDACTED] had assaulted [REDACTED] according to his interpretation of  
6 UCMJ. So he basically said, yes, they did do the inquiry correctly.

7  
8 W: (Affirmative)

9  
10 IO: The issue was founded in that matter. It...

11  
12 W: As I recall [REDACTED] was removed, not relieved from command by the CG?

13  
14 W: Right, yeah.

15  
16 IO: That piece came to question. However, if you want to comment on any knowledge you  
17 have of his allowed to retire vice removal or any other ad, type of adverse, adverse action or  
18 was any favorable notions or favorable actions conferred upon him that allowed him to retire  
19 with three years in grade...

20  
21 W: Yeah.

22  
23 IO: for retirement purposes?

24  
25 W: I do recall some of this. As I was deploying to Iraq, of course, the CG was coming  
26 slightly behind us, because he had meetings here and in D.C. and...

27  
28 IO: (Affirmative)

29  
30 W: [JTFCOM] and FORSCOM and... I got on the ground and one of my tasks to self was to  
31 find [REDACTED] who I knew and ask him, [REDACTED] what's going on with [REDACTED]  
32 He may have gone by [REDACTED] so I think it was [REDACTED] he called him.

33  
34 IO: (Affirmative).

35  
36 W: But, because I didn't know the guy. He says yeah, [REDACTED] said yeah [REDACTED]  
37 [REDACTED] is going to remove him, but not relieve him and then let him retire on such and such a  
38 date and I was a bit concerned. I thought that, okay, if we, if we found grounds to  
39 substantiate, to support, whatever word you want to use, the allegations and issues, then why  
40 are we being nice to somebody who has violated a trust? I mean, not only another wife, but  
41 another wife and an NCO, another wife and an NCO in his own battalion. I'm thinking, this is  
42 really a flagrant violation of any kind of self-discipline. Well [REDACTED] told me point blank  
43 to my face, and I understood that this was commander's business. I don't have any vote here,  
44 that he determined, in talking to SJA and [REDACTED] that if [REDACTED] was relieved, he would  
45 be immediately removed from the battalion area and any battalion activities. By removing  
46 him vice relieving him, he was able to help the new battalion commander get settled in and...

47  
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1 IO: During a deployment?

2

3 W: During a deployment. You know people issues, equipment issues, training issues,  
4 mission issues, all those things and I thought well, not...

5

6 IO: It was best for the Army.

7

8 W: not how I would have handled it, but I sure don't have the perspective [REDACTED] does  
9 and I am not entrusted with the authority that [REDACTED] was. So I thought, well first of all,  
10 it's a done deal.

11

12 IO: Right.

13

14 W: Second of all, what's this business about letting him stay in the Army a few more  
15 months? And once again, that was handled between [REDACTED] and the Signal Branch and the corps  
16 commander and...

17

18 IO: Right.

19

20 W: I thought well...

21

22 IO: Do you remember your IG's getting involved back here, I guess when you were already  
23 over in Iraq and questioning all this and putting a stop to his publishment of his retirement  
24 orders pending a concurrence from the CG that this was his intent to allow [REDACTED] to  
25 retire September something of '05, which would have given him three years in grade?

26

27 W: I don't recall it, but I knew it was an issue. Because like I said, one of the key tasks of  
28 myself when I got off the plane in Iraq was to find [REDACTED]

29

30 IO: Yeah.

31

32 W: which turned out not to be very hard to do.

33

34 IO: Do you remember having a...

35

36 W: No.

37

38 IO: point of contention of any of your action officers back here that were trying to find out  
39 information about whether or not the CG was going to actually allow him to retire nine  
40 months or so after there was this finding. Eight months?

41

42 W: No.

43

44 IO: Okay.

45

46 W: I don't recall such. Once again, the problem I had with this one was, again this was the  
47 case where [REDACTED] was trying to go slow on.

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1

2 IO: (Affirmative)

3

4 W: I think he was hoping, to be honest with you, that the whole outfit, corps headquarters,  
5 brigade headquarters, that would deploy to Iraq and we'd handle it over there. [REDACTED] was trying  
6 to...

7

8 IO: (Affirmative)

9

10 W: slow all this thing so it got it out of his hands, because he didn't want to touch it and it  
11 needed to be touched. It needed to be resolved before deployment and in fact, it was.

12

13 IO: Okay. Do you remember a case concerning [REDACTED] I think he was in 35th  
14 Signal.

15

16 W: I remember [REDACTED] real well, that case.

17

18 IO: It was something about he was allowing soldiers to drink on, it was either some type of  
19 exercise they were on.

20

21 W: Yeah.

22

23 IO: Was it, I thought there was a hurricane relief.

24

25 W: There was a, there was a JRTC <sup>ROTATION</sup> ration issue [REDACTED]

26

27 IO: Oh they allowed them to go to Mardi Gras or something.

28

29 W: And, and I don't know if it was [REDACTED], I think [REDACTED] was back here. Somehow  
30 or another we got word through an anonymous tip or an assistance claim or something.

31

32 IO: (Affirmative)

33

34 W: Once again it came into A&I, that such an event had occurred. Some, as I, and this recall  
35 now this is...

36

37 IO: (Affirmative)

38

39 W: a long time ago way back in recess of memory. A Captain I believe, a mid-grade officer  
40 had authorized troops to go to New Orleans or someplace and, and have a party and I  
41 remember it being the 327th and I remember being part of [REDACTED] and... I know

42 [REDACTED]

43

44 IO: (Affirmative)

45

46 W: We're not friends, but I just know who he is. I can't tell you what else to...

47

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1 IO: So...

2  
3 W: recall about that.

4  
5 IO: Do you ever remember, once again, directing that any unfavorable information against  
6 him be delayed or any reporting of any allegations against him be delayed in reporting to the  
7 TIG?

8  
9 W: No, and I would tell you that if, if you were to ask people about why I wouldn't do that  
10 they would have to admit to you that on more than one occasion, I had made comments within  
11 the IG office here about my concerns about that battalion commander. That I didn't think  
12 he... let me put it a different way. His battalion came into our view ~~frantically~~ <sup>INSPECTING</sup> for leader  
13 misconduct. We had a case one time where we, we were ~~expecting~~ <sup>INSPECTING</sup> the brigade as a part of a  
14 command inspection and soldiers come bouncing in the motor pool with shaved heads and  
15 wearing clocks around their neck on a string and, you know these soldiers had failed to come  
16 to, to a duty formation with the proper appearance and they had been late and I guess it was a  
17 recurring event, so some NCO's took it on their ~~own~~ <sup>own</sup> selves to shave these guy's heads and  
18 make them wear a clock around their neck, one of these big barracks clocks.

19  
20 IO: (Affirmative)

21  
22 W: And, you know, that was typical of the 327th Signal. They were always on our radar <sup>(b)(7)(C)</sup>  
23 scene for something and, you know, you start seeing this kind of stuff; <sup>(b)(7)(C)</sup>

24 <sup>(b)(7)(C)</sup> <sup>(b)(7)(C)</sup>  
25 I thought we're going to have a problem with the <sup>(b)(7)(C)</sup>  
26 U battalion commander here. He is concerned about the wrong things and, in fact, his, his  
27 command climate is a bit skewed. No, I wouldn't have tried to protect that guy at all, because  
28 I was afraid he was beyond protection.

29  
30 IO: (Affirmative)

31  
32 W: Now we got to Iraq and his battalion acquitted themselves very well. He came back  
33 changed commands very quick after we returned. He's been gone. His battalion CSM is still  
34 here. When we see each other, we shake hands. We're glad to see each other. I sure  
35 wouldn't have protected <sup>(b)(7)(C)</sup> because I thought I might be a party of one doing that.

36  
37 (IO NOTE: REMOVED IRRELEVANT TESTIMONY HERE)

38  
39  
40 IO: that we're looking at. What do you recollect about the, do you remember <sup>(b)(7)(C)</sup>  
41 <sup>(b)(7)(C)</sup> having a case of whistleblower reprisal?

42  
43 W: Yes.

44  
45 IO: She was in Dragon Brigade.

46  
47 W: Yeah, Dragon Brigade rear in fact.

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1  
2 IO: Right, well, yeah, however you want to characterize it.

3  
4 W: [ ]

5  
6 IO: She makes an allegation of reprisal in September of '05. It was declined based upon no  
7 unfavorable action. She did come back at a later date trying to make other allegations of  
8 reprisal. Do you remember saying anything to the effect of, we need to close this case or  
9 anything like that, because she doesn't have an allegation? I'm not quite sure what your  
10 words would have been. Do you remember that case and [ ]?

11  
12 W: Yeah, it was brought up...

13  
14 IO: [ ] remember the case. It was brought up a little bit later on.

15  
16 W: seems like three or four times at once. She came over here basic... she was working in  
17 the, in the S-4 PBO realm in Dragon Brigade rear here at Fort Bragg. As I recall it, she  
18 wanted, one NCOER and then the follow on NCOER. I wouldn't say the first or second,  
19 because she may have been here long enough to have already had an NCOER or two but...

20  
21 IO: She wanted to complete the record.

22  
23 W: Right.

24  
25 IO: They decided we, we're not going to be able to complete the record.

26  
27 W: Correct, which is not an adverse personnel action.

28  
29 IO: Right. Eventually she gets a annual or change of rater or something...

30  
31 W: Right, because she going to PCS.

32  
33 W: down the road.

34  
35 IO: Okay.

36  
37 W: Yeah, and she wants to structure the duty description to reflect an increase in  
38 responsibility. And as I recall now, September '05, October '05, we're starting to see MSC's  
39 redeploy and we're getting a little, quite a bit of work, mostly consultation with leaders and  
40 teaching and training stuff with the MSC's. Furthermore, there's something going on here  
41 that I think is important for the record. [ ] is trying, [ ] is trying yet again to throw a  
42 case our way over there because he wants us to be, he wants to yank our strings. On several  
43 occasions before, [ ] had sent questions for us to ask someone when he was working a case  
44 back here and we didn't have enough information or enough background to know that if we  
45 ask question one, and we get a certain answer, well maybe question two isn't appropriate right  
46 now. Maybe we need to go question 1A, 1B, 1A sub 1, you know the branches and sequence  
47 thing. And we kept telling him [ ] either send us the case or work it from your end. If

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1 you want us to set up a telephonic interview, cool, but we're not going to ask a question and  
2 then you come back, hey knucklehead, you should have asked this next, but that's [REDACTED]  
3 personality. That was the case with [REDACTED] Furthermore, we didn't see an adverse  
4 personnel action the first time around, as I, as I recall.

5  
6 IO: Right, and that's true, but...

7  
8 W: So...

9  
10 IO: and you just remember the case of reprisal coming up again?

11  
12 W: Oh it did, it did come up again and here's where I found about it. Two ways. One, a split  
13 second contact with [REDACTED] as we were in, we were already redeploying folks. He  
14 tries to get the inquiry... wait a minute, he got an e-mail from, I think we both got an e-mail,  
15 [REDACTED] and I both got an e-mail from [REDACTED] or [REDACTED] saying, what's the story on  
16 [REDACTED] NCOER? And Dragon Brigade is redeploying. And as I recall, the answer...  
17 and I, I'd have to check, it'd be hard to check e-mail records, but maybe the file has it, I think  
18 we said, the brigade commander's got it. He's concerned over the duty description. Once  
19 again, she was trying to show growth and responsibility.

20  
21 IO: Right.

22  
23 W: I think she was redeploying.

24  
25 IO: And [ ] trying to show that she was still a brigade level S-4.

26  
27 W: Yes.

28  
29 IO: When back here it was not a brigade...

30  
31 W: Correct.

32  
33 IO: headquarters. It was a rear detachment.

34  
35 W: Correct.

36  
37 IO: I think it was to the level of an STB is what he was trying to say it was.

38  
39 W: Right, and [REDACTED] had it. It wasn't due yet. [REDACTED] being [REDACTED] the  
40 Dragon Brigade commander, was alleged to have it by the [REDACTED], and it  
41 wasn't due yet and they were sorting back and forth over duty description stuff.

42  
43 IO: But she, she was saying it was late. Do you remember.

44  
45 W: Yeah, but...

46  
47 IO: Where's it at?

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1

2 W: Yeah, but then, the information we had from back here was, it wasn't.

3

4 IO: Right. It wasn't late. I think it was what the determination...

5

6 W: Right.

7

8 IO: that, that was made.

9

10 W: And, and we said look, the Dragon Brigade headquarters is redeploying. When they get  
11 to your end, let them, let them spend one night home and then ask them, say look this is  
12 important. If you're not careful, it will late and you'll look bad. And that was the end of it,  
13 and then the 21st of January, I get off the plane here at Fort Bragg and I haven't heard  
14 anymore about it. In fact, I didn't know, in my own mind, the name of [REDACTED] or  
15 [REDACTED] didn't trigger any thoughts until... understand that by the time I got back, I had  
16 heard so much about [REDACTED] and [REDACTED] behavior back here, I was starting to watch every move  
17 they made. And I remember on or about 22 February, it seems like that dates sticks out in my  
18 mind, looking on [REDACTED] desk and seeing a handwritten IGAR, almost certainly his  
19 handwriting, undated with [REDACTED] written on it. Now we all know that various cases  
20 at different times, aren't wrapped up tight and we go back and we complete dates and we  
21 complete... no question there, but I remember [REDACTED] and [REDACTED] making a big deal about this  
22 sergeant, all of a sudden, and this NCOER and I'm thinking, why, why is this IGAR here  
23 now? And why is it, what are we doing with it? And [REDACTED] evaded my answer and [REDACTED]  
24 looked at [REDACTED] and he got very evasive, because [REDACTED] does what [REDACTED] tells him to do and it  
25 should be the other way around. And I determined in my own mind that what we were trying  
26 to do here was drag our feet, let Dragon Brigade make that NCOER late and then, go ah, you  
27 screwed a soldier. And, like I said, that, I had been back right at one month when I saw this  
28 stuff happen, or three or four weeks maybe. And I didn't like what I saw and like I said,  
29 [REDACTED] has got his heart set on screwing over commanders and leaders in certain units.  
30 20th Engineer Brigade for sure, a long term tradition in his part, 35th Signal Brigade, another  
31 favorite target and [REDACTED] a favorite target in Dragon Brigade. [REDACTED] is not well  
32 loved and he's everybody's target, but nonetheless you don't do things that constitute utilizing  
33 your privileged IG position to harm subordinate leaders. We hope to keep them out of trouble  
34 not put them in. So I said, okay, what's going on here? And [REDACTED] gave me a story  
35 where it was [REDACTED] case and [REDACTED] was giving it to [REDACTED] because it was  
36 going to be a Whistleblower and about that time [REDACTED] walks in the office. That's his  
37 office right across the hall here, where [REDACTED] used to sit, guarding [REDACTED] door, keeping  
38 [REDACTED] subordinates from speaking to [REDACTED] by making them go through the  
39 junkyard dog, [REDACTED]. And I said, [REDACTED] what's up with this? He goes, it's not mine. It's  
40 not a whistleblower. Went back and forth, back and forth, the bottom line was, FORSCOM  
41 and [REDACTED] say, it's not a whistleblower and [REDACTED] says, yes, it is. And then I determine  
42 the reason [REDACTED] wants it to be a whistleblower is so [REDACTED] will give the job to [REDACTED] to  
43 do, because [REDACTED] doesn't like to do paperwork. He's very bad at it. His casework, casework is  
44 not great. Move forward a couple of days, like a say, this may be around the 20, 22nd of  
45 February, right here in these two blue chairs, [REDACTED] and [REDACTED] and I'm in my desk  
46 chair there and I'm thinking, what is going on here and why are we after [REDACTED] on this  
47 NCOER? Because nobody has said anything good yet about poor old [REDACTED] She's out

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[REDACTED]

1 for herself and she wants to get something for nothing or more than she justly deserve,  
2 whatever the, the words that were used. You know, this wasn't a future Sergeant Major of the  
3 Army we want to be taking care of. [REDACTED] was absolutely certain that FORSCOM would  
4 call it a whistleblower. Once again, [REDACTED] refused to call FORSCOM. If he had, I  
5 wouldn't know it, but he refused to and it was consistent with his previous behavior because  
6 [REDACTED] doesn't call anybody. He doesn't want his hands on nothing and he's, in fact, told  
7 some other IG's that, you know, you don't see my name on this stuff. I told him, we had a we  
8 had a long meeting here. It must have gone two hours. Who did [REDACTED] call? [REDACTED]  
9 [REDACTED] one of those, one or both of those guys and got a read out that...

10  
11 IO: Or, involved in...

12  
13 W: this latest case wasn't, I don't know if it was...

14  
15 IO: HRC proponent specialist?

16  
17 W: I couldn't tell you about that. But I know he talked to FORSCOM or at least, let me say  
18 this, I recall him having said...

19  
20 IO: Yeah.

21  
22 W: he talked to FORSCOM IG to get an...

23  
24 IO: Okay.

25  
26 W: adjustment from them.

27  
28 IO: Okay.

29  
30 W: Or, he would be [REDACTED] .. and, and I said, okay well, look, I don't care what it is,  
31 have [REDACTED] work it out, but let's get it done. Once again we're sitting here on a case, the  
32 clock is ticking, and we're going to put a commander in a disadvantaged position if we keep  
33 dragging our feet. [REDACTED] was absolutely squirming in his chair. It was clear to me that  
34 [REDACTED] had told [REDACTED] you better get this case moved out of my hands or I won't like  
35 you no more, and of course, that's the way those two men run. The 13 does what the 12 tells  
36 him to do and the 13 frequently misstates the truth to cover the 12. And I wasn't too happy  
37 about the fact that we left a lot of information blank or out of the case files, because it  
38 appeared to me that [REDACTED] was going to go back and change the dates on stuff to indicate  
39 that he had told Dragon Brigade what Dragon Brigade needed to know to make this thing  
40 happen on time and then Dragon Brigade drops the ball. Clear to me it was a, it was a case  
41 where we're, we're going to structure the documents to look like what should have happened,  
42 even though it was backdating falsely and I remember that being the day when I thought, okay  
43 [REDACTED] this isn't just [REDACTED] that's being corrupt, you are as crooked as he is and I don't  
44 want to hear anymore about Sunday school from you. And I got very very angry about the  
45 [REDACTED] case. When, in fact, I wouldn't know [REDACTED] [REDACTED] if she  
46 walked in here. Never saw her. If I have, it must have been years ago and I didn't have any  
47 reason to know who she was. But that, that case is a poster child for setting that, for [REDACTED]

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1 and [REDACTED] trying to set up a unit so that we can swoop down and make someone feel bad  
 2 about screwing up, screwing over soldiers, whatever. And not happy, not happy at all about  
 3 that. And once again, [REDACTED] attempts were to get it out of [REDACTED] hands, so if [REDACTED]  
 4 was on to them, it'd be [REDACTED] problem to clean it up and by now it was, it was a  
 5 shambles. And then of course, I guess I would like I was protecting [REDACTED] or something,  
 6 which, I've known [REDACTED] since he was a Major. I don't particularly look out for him  
 7 because he's... he gets what he deserves and nothing more. He's, he... on numerous  
 8 occasions made it know that he would... [REDACTED] is out for [REDACTED] and the soldiers know it  
 9 and the command climate is not positive as a result. So...

10

11 IO: Okay. I think you thoroughly answered the question.

12

13 W: I'm sorry I'm...

14

15 IO: That's okay.

16

17 W: my blood gets up about [REDACTED] because I came back hoping that what I heard  
 18 about [REDACTED] and [REDACTED] was not true and [REDACTED] was the turning point when I realized  
 19 that I had two men, and I'll state it plainly, who were willing to lie and falsify data to make  
 20 leaders look as if they had knowingly and willingly done soldiers wrong.

21

22 IO: And, sir, and I was going to, I was going to hold this until after the interview, but for the  
 23 record... because what I think, what you're, you're stating they were improperly doing their  
 24 IG jobs.

25

26 W: Without a doubt, they were doing their jobs improperly.

27

28 IO: Right, and... well we'll save it until after this.

29

30 W: Okay.

31

32 IO: We'll save that, until after this.

33

34 W: Okay, and to elaborate one more time, they were not doing it improperly just in that case,  
 35 but that, like I said, is the poster child for...

36

37 (IO NOTE: FOLLOWING TESTIMONY HAS COMPLAINANT'S NAME  
 38 REMOVED DUE TO SPECIFIC CASE WAS NOT MENTIONED IN THE OSC  
 39 DISCLOSURE, HOWEVER, TESTIMONY IS RELEVANT TO THE OSC  
 40 INVESTIGATION.)

41

42 IO: Roger. Do you remember anything about the, the [REDACTED] whistleblower case?

43

44 W: I remember my own memories about the [REDACTED] case, yeah.

45

46 (IO NOTE: REMOVED IRRELEVANT TESTIMONY HERE)

47

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[REDACTED]

1  
2 IO: If you could comment what you remember on the, on the [REDACTED] case. It was a soldier  
3 who initially comes in with a whistleblower, comes in with a whistleblower reprisal case  
4 because he, they were going to take, they were going to separate him. We find out the  
5 separation action was improper. They dropped the separation. He requests a hardship. Now  
6 there's a question of whether or not the characterization of the separation was going to be an  
7 unfavorable action, i.e., reprisal in that the company commander was going to give,  
8 recommend a general discharge versus honorable.

9  
10 W: (Affirmative)

11  
12 IO: And it tried to get tied to being, this is tied to a protected communication.

13  
14 W: Yeah.

15  
16 IO: Did you get involved in any portion of that case?

17  
18 W: I did. Once again, this in my, in my view the [REDACTED] case is an example of IG abuse of  
19 authority by [REDACTED] and endorsed by [REDACTED] [REDACTED] came over here, as you said, and I  
20 think the story, as I recall it, as I recall it, he comes to Fort Bragg as an E-5 and pretty soon  
21 he's like an E-2. I'm thinking uh-oh. Has Fort Bragg again showed our dark side, you know,  
22 bringing an NCO new to the airborne world and we show him that because you weren't here  
23 and made friends as a Private, you're a new NCO and we need to throw someone out every  
24 once in a while and you're it. 30th Engineering Battalion. [TOPO], deploys by teams, not by  
25 units. So once again, we have a lot of small units being led by junior NCO's and I thought  
26 well let's be sure that [REDACTED] isn't a victim of some obnoxious leadership or some absent  
27 leadership. [REDACTED] and [REDACTED] are working all the details. You know, [REDACTED] is going  
28 to get out of the Army. [REDACTED]'s case, as far as the 20th Air Brigade is concerned, is, is a  
29 done deal. He's a bad guy and he's gone. At some point, again [REDACTED] told me in [REDACTED]  
30 [REDACTED] presence as well, [REDACTED] wants to go home. [REDACTED] is now getting so little  
31 money that his family is back in Texas that he can't afford to live separately from them.

32  
33 IO: Right, he wanted a hardship. He wanted out.

34  
35 W: Get me out. Went home. Somebody said, the Army did you wrong on the way out.  
36 Another complaint comes up and what's going on here is [REDACTED] once again has got his  
37 sight set on the 20th Engineering Brigade, because he doesn't like them. And I'm thinking,  
38 okay, let's teach and train. Let's make sure this thing goes well. Who cares if [REDACTED] gets an  
39 honorable discharge or an dishonorable discharge. I think the nature of his offenses were such  
40 that they were basically personal and leadership failures. It wasn't any criminal thing.

41  
42 IO: Right.

43  
44 W: Go make him a good hometown recruiter. Let his last memory of his Army be good.  
45 Process it fast, get him out of here, let's quit this mess. [REDACTED]

46  
47 IO: Process?

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1  
2 W: Process his case.

3  
4 IO: Okay.

5  
6 W: Let's solve it and let the command know what we think should be done right and then  
7 let's move on. [REDACTED] became [REDACTED]; reason for coming to work. Once again, my  
8 assessment was, and I told him such, I told [REDACTED] such, I said we're not going after 20th  
9 Engineering Brigade on this. We're going to help the 20th Engineer Brigadc as much as our  
10 charter permits and we're going to get out of it. Then I deployed to Iraq and the reservist we  
11 had here, [REDACTED] via e-mails and phone calls; let me know what they're working.  
12 One of the things is the [REDACTED] case. I'm thinking, holly cow what [REDACTED] is be doing that it  
13 drags on into the spring and summer of 2005? Well [REDACTED] has gone [REDACTED] he has alleged,  
14 now I wasn't here, but he is alleged to have gone TDY to New England and to Fort Leonard  
15 Wood Missouri to see people involved in the [REDACTED] case. I'm thinking, why do we need to  
16 go interview people in the [REDACTED] case? Advise the command as to what's proper and, oh by  
17 the way, engineer brigades don't throw soldiers out of the Army. It requires the personnel  
18 system to cooperate or you can't make it happen. So I don't want to hear anything about this  
19 company commander screwed this up all by him or herself or a battalion commander or  
20 brigade commander all by him or her self. It had to be somebody in the personnel services  
21 world cooperating with screwing up or it won't go wrong. At one point in the game, this  
22 would have been at least a summer of '05, I told [REDACTED] I said look, I understand now that  
23 [REDACTED] and I'm saying summer of '05, it might have been the fall. I said, I'm assuming now  
24 that [REDACTED] is still working the [REDACTED] case. I understand that you may have a problem as a  
25 substitute teacher, you know, my IMA stand-in telling [REDACTED] what to do. I said, let me tell you  
26 this. I want [REDACTED] to do what's right and if [REDACTED] can show me he's done what's right, then we  
27 don't have a problem. But I'm going to do a due process review of my own and I'm going to  
28 sit around the little round table in my office and we're going to talk about this [REDACTED] case and  
29 [REDACTED] better not show me where one, at the time GS-11, spent an enormous amount of time and  
30 other resources working one case far outside the IG charter just to get the 20th Engineer  
31 Brigade to feel bad about being his enemy. Sure enough, the next thing I know [REDACTED] is telling  
32 [REDACTED] .. I'm getting this through [REDACTED] and [REDACTED] our admin officer, that  
33 he's trying to take a couple of days off and work a case at home without distraction, because  
34 he wants to close this thing up, because he knows when I come back, I'm going to ask why we  
35 spent so much time on a case and all we did, and we have it on tape, is verbally abuse a  
36 company commander and other things that didn't help the case at all. And oh by the way, if  
37 [REDACTED], the former commander of the 3rd Engineer Battalion, is alleged to have  
38 done some administrative discharge improperly, who helped him? Because he can't do it by  
39 himself. It takes an Army personnel service, probably the installation AG or the 18th SSG  
40 rear, to help kick this kid out of the Army. So who else is not supporting 20th Engineer  
41 Brigade commanders when they need help kicking a soldier out who is failing to maintain a  
42 standard. And it went back and forth, back and forth. What a mess. And I told, I told [REDACTED] on  
43 the phone, I called him and I talked to [REDACTED] I said, you better be doing what's right with that  
44 [REDACTED] case because to me it looks like a cottage industry that's supporting one man's job and  
45 I think we are on the limits here of common sense. And sure enough, when I got back I was  
46 assured it was closed, don't mess with it, oh yeah we got rid of that thing. It was done. It's  
47 taken care of it. But, you know in fact, what I learned was, is, in one case in fact some of the

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1 witness, some of the assumed witnesses were at Fort Leonard Wood Missouri. So [REDACTED] orders  
 2 [REDACTED] [REDACTED] one of other assistance NCO's or civilians rather, they're going to go  
 3 TDY to Fort Leonard Wood. No prior coordination made that we know of with anybody.  
 4 They get to Fort Leonard Wood, they call the folks in they want to talk to and the folk's  
 5 lawyer up. In other words, invoke their rights, don't testify. So we've got all this time spent  
 6 preparing, flying, hoteling, rental carring, and people say nopc. Well the Fort Leonard Wood  
 7 IG could have told them that by calling them in and saying, I have questions to ask you, and  
 8 we would have nobody fly, you know, no money spent for needless travel by two government  
 9 officials and it was just, once again it was, it was my assessment coupled with, with an  
 10 overbearing improper interviews to young CPT [REDACTED] the, one of the company commanders  
 11 in 30th who I know and surface, you know, superficially I, I think he's a pretty good kid.  
 12 What was, what was the purpose other than to vent all over the 20th Engineer Brigade who, if  
 13 you're [REDACTED] you hate. So it was, yeah that's...

14  
 15 IO: Why is that? What's the motivation against the 20th?

16  
 17 W: First of all, [REDACTED] thinks no one is as good as a 1st Sergeant or Sergeant Major as he  
 18 was.

19  
 20 IO: He was a Sergeant Major there?

21  
 22 W: No. He was...

23  
 24 IO: Oh, I'm sorry.

25  
 26 W: He was the 1st Sergeant of HHC COSCOM during Desert Storm, he alleges, and then  
 27 he's real murky about whether he was a Sergeant Major or a CSM, but he served as a Sergeant  
 28 Major in Alaska and then at Fort Jackson. He doesn't like the leaders in the 20th Engineer  
 29 Brigade and one of the things that happened, this was background years ago, there was a  
 30 Captain who was the bright shining young favorite Captain of the 27th Engineer Battalion  
 31 Combat Airborne and he had a problem with zodiac boats and somehow or another [REDACTED] and  
 32 [REDACTED] got word of it. They went over there like CID or MPI, come busting in the supply  
 33 room... I read the, I read the case files and the 20th Engineer Brigade basically had to lock  
 34 arms and guard the doors against the IG because the brigade commander at the time, the 20th  
 35 Engineer Brigade was a guy named [REDACTED] command style was seeking  
 36 unlimited popularity. [REDACTED] a nice guy, but he can't call a spade a spade because he doesn't  
 37 want to be the bad guy. He's like [REDACTED] Don't, don't make me say something bad  
 38 or I'll, I won't be loved. Well you can't have a brigade commander like that. Every once in a  
 39 while the brigade commander has got to be the bad guy and say here's the policy. Does  
 40 anyone have any questions, because there's the door. And [REDACTED] and [REDACTED] couldn't do  
 41 that. And, and I like [REDACTED] he's a nice guy. He's also a retired [REDACTED] now, so he  
 42 didn't go any further and that's not unusual for a [REDACTED] brigade. But [REDACTED] and [REDACTED] set their  
 43 sights for [REDACTED] and for [REDACTED] subordinates because they wanted to show those guys, you  
 44 know, who was the bigger man and that tradition continues to this day. You give [REDACTED] or [REDACTED]  
 45 a sniff of a problem in 20th Engineer Brigade, they will turn into some Sergeant Major or  
 46 some field grade...

47  
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1 IO: And [REDACTED] was formerly an engineer?

2  
3 W: No, he's formerly an NCO, NCO. 1st Sergeant

4  
5 IO: Okay.

6  
7 W: He was... that I know, he was never an engineer, but over the course of a 25 or so year  
8 career he could have been God knows what.

9  
10 IO: Right.

11  
12 W: But primarily at the end he was a, he was an admin kind of guy. You know personnel  
13 services, logistics.

14  
15 IO: But for some unknown reason [ ]?

16  
17 W: Well like I said, I think he, as an IG, as a civilian IG, as an assistant IG, not a... he went  
18 over to 20th Engineer Brigade that day to do that zodiac boat thing because he decided those  
19 guys needed to be trained a lesson and when they rebuffed him and told him the commander  
20 is in charge over here, he took that at, okay, no, you don't understand I'm the IG and he has  
21 decided that he will never rest until those guys understand he's the big man on campus and  
22 [REDACTED] does whatever [REDACTED] wants to do, because he wants a junkyard dog around in  
23 case some bad thing needs taken care of. So there, the [REDACTED] case in my, in my view, from  
24 where I sit, was not a case of a soldier seeking assistance, soldier wanting to get out of the  
25 Army the right way. We could do that easy. That's not a hard thing to do.

26  
27 IO: Do you know any allegations of reprisal in that case?

28  
29 W: Yeah. There were, once again [REDACTED]

30  
31 IO: Oh, it was a reprisal case, right.

32  
33 W: Yeah.

34  
35 IO: For a while.

36  
37 W: For awhile and then as, as [REDACTED] was departing and [REDACTED] [REDACTED] was  
38 incoming, [REDACTED] I believe by himself, get over there and show those guys how to get  
39 this right and I don't know if he called or went, but [REDACTED] [REDACTED] who I've known for several  
40 years, took the phone call like, like [REDACTED] just all gentleman and said, we will do the right  
41 thing. And they stopped the, the procedures to make sure they were in accordance with the  
42 rules and somehow after that, after the brigade, the 20th Engineer Brigade of course deployed  
43 to OIF, October, November of '04, it got out of tolerance again and rather than monitoring it  
44 and helping the command do the right thing, if they catch you making a mistake, saying stop  
45 you're going to, you're going to step on a landmine here, it's like, let's go after some leaders.  
46 And, in fact, we have a recording...

47

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1 IO: (Affirmative)

2

3 W: of [REDACTED] dressing down [REDACTED]. [REDACTED] walked up to me in the [DFAC] in Baghdad to  
4 tell me, sir, I need to let you know I hung up on one of your IG's.

5

6 IO: It was over the phone while he was in Iraq.

7

8 W: Yeah, and [REDACTED] said, I'll tell you about it. He told me about it and I said, you did the  
9 right thing.

10

11 IO: Okay.

12

13 W: We don't, we don't go in the overbearing mode. If it gets to that point, we stop  
14 questioning.

15

16 IO: Okay. We'll just get the last question...

17

### 18 IO NOTE: IRRELEVANT TESTIMONY REMOVED

19

20 W: [REDACTED] has been set up by [REDACTED] to, [REDACTED] to be a supervisor. This  
21 violates civilian personnel policy. It's in violation of a job duty description, the position  
22 description, the PD if you want to call it, and in fact it has led to an enormous amount of  
23 problems in this office because the way that [REDACTED] and [REDACTED] set their offices up while I was  
24 deployed to Afghanistan basically put [REDACTED] in the position of guarding access to [REDACTED] and, in  
25 fact, refusing access to [REDACTED] except by people outranking anybody else in the office. So me  
26 and the Sergeant Major and Deputy [REDACTED] would go in there and see [REDACTED] but  
27 anybody else [REDACTED] basically was rude to them and told them to go away and if they were a part  
28 of the assistance business or the investigations business, they thought [REDACTED] was in charge.

29

30 IO: So it gave him increased responsibility, supervisory responsibility when he wasn't in the  
31 supervisory position?

32

33 W: I'm hesitating because I'm not sure...

34

35 IO: Well...

36

37 W: the word responsibility is right. He, [REDACTED] and [REDACTED] were careful to never want [REDACTED] to be  
38 responsible for something except to [REDACTED]. If, the party line was [REDACTED] the boss. So [REDACTED] is the  
39 big man. He's responsible, but yet they de facto, yes.

40

41 IO: Was he, was he ever considered a Team Chief?

42

43 W: By [REDACTED] Yes. By me? No. And, in fact, I told [REDACTED] after I got back, I don't  
44 understand this Team Chief thing. The next thing I know, I'm being told he's told the troops  
45 over there, the troops, the personnel that I don't like the word Team Chief, he's now their  
46 work group leader. So I get word of that. I go and I say, look you're not getting it. I'm not

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1 worried about semantics, I'm worried about performance. [REDACTED] is not a supervisor. He's not  
2 an approver. He's not a reviewer. He's a peer. If they want to do a peer check, fine but I  
3 want you to do your job and I want you to supervise these folks. The next thing I know, he's  
4 had a meeting and he's told those folks they better not talk to me ever again and that as far as  
5 he's concerned, [REDACTED] will still review their work, approve their absences from the office, and  
6 so forth and so on.

7  
8 IO: [REDACTED] is telling...

9  
10 W: Oh yeah.

11  
12 IO: his people that.

13  
14 W: [REDACTED] is telling his people that and he's furthermore telling them, and I get this from  
15 my civilians, that if they tell me this, they'll suffer because the civilians are going to be here  
16 longer than me.

17  
18 IO: And would you say that, that [REDACTED] did wrong setting him up as, and what that was in  
19 violation of the civilian personnel?

20  
21 W: Look, the civilian personnel, the position description for [REDACTED]

22  
23 IO: (Affirmative)

24  
25 W: Doesn't have any supervisory.

26  
27 IO: That's what I'm, that's what I was getting at.

28  
29 W: And so what he did is he made [REDACTED] a supervisor over folks and [REDACTED] is not  
30 empowered, authorized to be a supervisor by the civilian personnel system.

31  
32 IO: Right. Okay.

33  
34 W: And, in fact, the real thing he did was, is he withdrew himself from his own  
35 responsibilities. He abdicated. He wants the money. He doesn't want the responsibly. He  
36 doesn't want the hassle, if you want to use that word, of talking to people that he doesn't like.  
37 Now [REDACTED] doesn't like women, doesn't like enlisted people, and doesn't like people  
38 of color. So he doesn't like those folks coming...

39  
40 IO: And would you say he considered himself the deputy to [ ]?

41  
42 W: Well...

43  
44 IO: [ ]

45  
46 W: In fact he...

47  
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1 IO: [ ]

2  
3 W: in fact was.

4  
5 IO: Right.

6  
7 W: Before, right before I got here, he and my predecessor added some deputy language to his  
8 position description which is unnecessary because the ~~TOE~~ clearly calls Lieutenant Colonel  
9 the deputy. What [ ] wanted was to go from 12 to 13, and as I was rolling in here in  
10 2002, that happened. So while I was gone to Afghanistan, [ ] was promoted to  
11 make... [ ] long term vis, let me say it's better. [ ] has convinced [ ]  
12 that the long-term plan for this office is for [ ] to be nice, acceptable, noncontroversial  
13 and to get promoted as many times as he can, so when he retires in about, call it 2009, 2010...  
14 no wait a minute, call it 8 or 9, 2008, 2009, that [ ] will be the heir apparent because  
15 they will, [ ] and whoever the IG is will talk and talk and talk and [ ] will sell  
16 [ ] as the man who makes it all happen and then [ ] will go from where he sits...

[ ]  
TABLE OF ORGANIZATION AND EQUIPMENT (TO&E) [ ]

17  
18 IO: 11 to 12?

19  
20 W: Well now, the reason he's a 12 is because [ ] told a lie or correction, [ ]  
21 told a lie. As I was redeploying, [ ] went over to [ ] and said [ ] wants  
22 you to submit [ ] for a promotion to 12. There was a problem because [ ]  
23 was hired to be a 12. We also have this young kid coming in who's going to be a 12 and  
24 [ ] an 11. [ ] cannot live with himself in this situation and [ ] told me  
25 after I got back and after 1 February when the promotion took effect and it was too late to  
26 stop, that he didn't see where that was fair, that he thought [ ] should at least equate to,  
27 if not outrank, [ ] because age and experience and all that kind of stuff.

28  
29 IO: So he was an 11 target 12?

30  
31 W: Who?

32  
33 IO: [ ]

34  
35 W: No, he's just an 11. He, when I first got here, he was a 9.

36  
37 IO: Then how's he, how was he promoted to a 12? You had a 12 vacancy?

38  
39 W: No. [ ] walked over and told [ ] that I wanted a new job description  
40 fixed to wherever it took...

41  
42 IO: Oh so you...

43  
44 W: to get [ ] promoted to as 12.

45  
46 IO: So you [ ] his description?

47  
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[ ]

1 W: Yeah.

2

3 IO: You got it reclassified. They got reclassified?

4

5 W: Got it reclassified as a 12 and he was promoted on...

6

7 IO: Got you.

8

9 W: 1 February or 1 March.

10

11 IO: Internal promotion.

12

13 W: And I, in fact, when I found out about it, I was sitting in the CPAC office trying to start  
 14 some sort of inquiry from CPAC into what was going on over here, because I didn't feel like it  
 15 was my place to investigate myself and that's when I found out [REDACTED] was a 12 and I said,  
 16 you got to be joking me. That's not what I said. That's what I meant, and they said, oh yeah,  
 17 you told [REDACTED] to do it, so we did it. I said how could I have told [REDACTED] to do  
 18 it? I'm finding out about this for the first time right now? You know early February 2006,  
 19 you're telling me that on 1 February he was a 12 and I'm responsible for it. Well okay, I  
 20 guess I'm responsible, but I sure as hell didn't order it to be done. And now, once again, you  
 21 know, we've caught [REDACTED] and he will compromise his integrity to keep [REDACTED]  
 22 assuaged, but happy, because he wants to use [REDACTED] to do his dirty work and [REDACTED] has  
 23 fooled [REDACTED] because [REDACTED] thinks he's got the leash. Some of the things that  
 24 [REDACTED] has said about [REDACTED] make it clear that [REDACTED] is out for [REDACTED] and if he  
 25 has to throw [REDACTED] under the bus, not a problem and the sad part about it is [REDACTED]  
 26 doesn't realize it. He thinks he's on the guns side of the gun target line and he ain't and it's,  
 27 it's a crying shame. The language that [REDACTED] used, [REDACTED] was cited by the  
 28 FORSCOM MART, the Manpower Assessment Review Team, as doing at least 12 work if  
 29 not two 11's. She does IGMET for all of Fort Bragg, admin for me and all of IG office, she  
 30 does resources, she does travel, does a number of things, many of which would fall into a  
 31 second job, don't have it. Don't have the authorization. [REDACTED]

32

33 She's got a very sweet  
 34 personnary. She works hard and she's as honest to a fault and one day [REDACTED] I am, I am told by  
 35 numerous sources in my information gathering from here last January and February, referred  
 36 to her as a fat bitch and people heard it out in the hallway to include her. And, you know, if  
 37 you want to call someone that, then take them aside and say, I think you're a whatever to their  
 38 face but, you know, the old praise in public, punish in private thing, I don't think that's just  
 39 military, you know. He's been rude to [REDACTED] in front of clients who didn't know what  
 40 was going on inside the office with regard to dynamics, because young soldiers [ ] the green  
 41 suiters. They see civilians walking around they can't figure out, you know, who ranks who,  
 42 who does what to who. They see some gruff old man walk over and verbally abuse the IG that  
 43 they're hoping is going to help them. So now they well good, I'm definitely...

43

44 IO: Who was doing that, I'm sorry?

45

46 W: [REDACTED]

47

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[REDACTED]

1 IO: [redacted] was doing that?

2  
3 W: Was verbally abusing [redacted] front of a client, so now the client is thinking, oh  
4 good, I've got the class B/certainly class A, IG working for me. And that's what it was  
5 intended to be. [redacted] wanted this soldier to know that he was the big dog otherwise  
6 there'd be doubt and that's where [redacted] lives. He comes in, in the morning, when he  
7 shows up, to make someone suffer so he can look good by comparison and, and I knew he had  
8 this tendency before I deployed to Iraq, but I thought that there was a line across which he  
9 would not go and I found out that to be the wrong assessment and that [redacted] would  
10 basically endorse whatever he did.

11  
12 IO: I think that was it. Anything else you want to present?

13  
14 W: [redacted]  
15 o: [redacted]  
16 Obviously, I don't know and I don't need to know where this came from. I owe you more  
17 answers. I will find out about this, this other issue but one of the things I want to make really  
18 clear to the FORSCOM IG is, we're trying to do the right thing up here. We make mistakes.  
19 We're in the midst, however, of a real nightmare with, with regard to a civilian personnel  
20 situation and as a result, you know I, as you know, since some point in March, [redacted]  
21 and [redacted] are on admin leave by order of the corps commander now, who has  
22 directed they not to return to this place of duty until he gives the order. So it's kind of hard  
23 for some civilian personnel authority or JAG or me to say, yeah, come back on back in and  
24 I'm not going to do that anyway. So in the midst of all this that's, that may be an issue  
25 hanging in the environment that may not be readily apparent to someone who reads your  
26 questions and then reads my answers. I think some of these assertions and allegations may be  
27 not just misperception, but may be, in fact, distortions of the truth. Because I have, I have  
28 ~~two~~ submitted to civilian personnel for potential dismissal from the civil service because I think  
29 their offenses were egregious. So whether or not that has anything to do with it, while you're  
30 talking to me, that's what's going on in my mind. I'm seeing these two guys and that's why I  
31 get a little bit animated about the [redacted] case or the [redacted] case, [redacted]  
32 [redacted] e r m r [redacted] And  
33 I'm thinking, well the [redacted] case and [redacted] case are much more than just did the IG do right  
34 by the IG system, but in my view they were, they were vehicles that were corrupted by  
35 [redacted] and [redacted] to try and place leaders in jeopardy unfairly. Just for the purpose of  
36 building their own self esteem at the expense of those leaders. Nothing more and it's, [redacted]  
37 ~~with negative~~ on the 12th of July, the CG, [redacted] summoned me, the CPAC  
38 Director of Civilian [redacted], [redacted] the Corp SJA, [redacted] and his Deputy, his  
39 labor lawyer, [redacted] to the CG's office and the CG was most upset about what he  
40 learned about these two guys and their behavior and tomorrow or the next day I will be  
41 interviewed by CID, in fact, who's also pursuing information, trying to figure out what's  
42 going on here. And I, and I'm sorry about that because, you know the last thing you want to  
43 do is have [redacted], you know, if it's a phone call from 18th Airborne Corps IG, it's bound to be,  
44 oh man, we're screwing up down here. We have an investigation going when we need to be  
45 taking care of business that's 20-1 stuff. So like I said, while the questioner may be thinking,  
46 you know, did you violate 20-1 or the JER? I'm thinking, well not only, no, did we not  
47 violate 20-1, at least not intentionally or, no, we didn't violate anything else standard wise, at

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[redacted]

1 least not intentionally, we do have a couple of IG's who are using an assistance request or a  
2 discovery of improper behavior, of alleged improper behavior, to harass unit leaders to the  
3 point where it's way past, you know, Army values, Army standards, 20-1, way past that. So,  
4 once again, you know, my perception of the question is probably different than yours.  
5  
6 IO: Got it.  
7  
8 W: But that's it.  
9  
10 IO: I think I've got who I think we ought to talk to, [REDACTED]  
11  
12 W: Right.  
13  
14 IO: Being one.  
15  
16 W: I can provide you his phone number because he's...  
17  
18 IO: I think I've got it, sir.  
19  
20 W: Okay.  
21  
22 IO: Anybody else?  
23  
24 W: [REDACTED] I think would be worth your time. [REDACTED] and [REDACTED] are  
25 not here this week. They're TDY to the IG school for the recertification course. They would,  
26 they would have, [REDACTED] of course, would have personal experience to relate to with  
27 regard to the [REDACTED] case. I, I'll have to get back to you if I can think of anybody else.  
28  
29 IO: Okay, sir. We are required to protect the confidentiality of IG investigations and the  
30 rights, privacy, and reputation of all people involved in them. We ask people not to discuss or  
31 reveal matters under investigation. Accordingly, we ask that you do not discuss this matter  
32 with anyone except your attorney, if you choose to consult one, without the permission of the  
33 investigating officers. Your testimony may be made part of an official Inspector General  
34 record. Earlier I advised you that while access is normally restricted to persons who clearly  
35 need the information to perform their official duties, your testimony may be released outside  
36 official channels. Individual members of the public who do not have an official need to know,  
37 may request a copy of this record to include your testimony. If there is such a request, do you  
38 consent to the release of your testimony, but not your personal identifying information such as  
39 name, social security number, home address or home phone number outside official channels?  
40  
41 W: No.  
42  
43 IO: Do you have any questions?  
44  
45 W: No questions at this time.  
46  
47 IO: Okay, the time is 17:11. The interview is concluded.

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1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12

(Whereupon the matter was concluded)

The above sworn testimony of [REDACTED] was recorded digitally and was transcribed by [REDACTED] Medical Office Mate. Leander, Texas.

Verified by:

[REDACTED]  
Signature \_\_\_\_\_ August 9, 2006

[REDACTED]  
FORSCOM [REDACTED]

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[REDACTED]

## MEMORANDUM FOR RECORD

**SUBJECT:** Summarized (sworn and recorded) testimony of [REDACTED] XVIII ABN Corps IG, Ft. Bragg, NC, obtained by telephonic interview at Ft. Bragg, NC and Ft. McPherson, GA, on 22 Dec 06, from 0911 to 0929 hours by [REDACTED] the investigating officer.

Name of Witness: [REDACTED]

Grade of Witness: [REDACTED]

SSN of Witness: [REDACTED]

Organization: XVIII ABN Corps IG

Duty assignment of Witness: [REDACTED] XVIII ABN Corps, Ft. Bragg, NC

Telephone number of Witness: DSN [REDACTED]

[REDACTED] (witness) was interviewed and informed that this was an investigation directed by the Office of Special Counsel (OSC). The witness was informed that the IO has been directed to complete an investigation of OSC disclosures. The witness was informed the IO is not using IG procedures in this investigation, nor is he acting in his IG capacity. The witness was also informed for the OSC investigation the IO is following AR 15-6 type procedures for records release. That means that the witness's identity, and his testimony, may be released for official uses only to various government agencies, to include the President himself. The witness was informed that this testimony may be released outside of official channels under normal FOIA and Privacy Act rules, but that his identity should remain protected. The witness was informed of the authority for the inquiry, information required by the Privacy Act of 1974, and of the rights of a witness. The witness was also informed that he was not suspected of a criminal offense, however, that we had information that may be unfavorable to him. The witness was informed that we were required to give him the opportunity to comment on those matters. The witness was informed that he did not have to answer any question that may tend to incriminate him.

[REDACTED] testified that he could not remember the case involving [REDACTED] nor did he remember what, if anything, was done with an allegation made by [REDACTED] during her testimony that [REDACTED]

AFCG-IG

SUBJECT: Summarized Testimony of [REDACTED]

[REDACTED] 35<sup>th</sup> Signal Bde CSM, had "threatened" to "move her off Ft. Bragg" because she had been "complaining and running to the IG".

[REDACTED] testified that he would not have had any IG in the office conduct "teaching and training" in reference to whistleblower reprisal with [REDACTED] because he had concerns with the leadership environment within the 35<sup>th</sup> Signal Brigade. [REDACTED] testified that he was familiar enough with the Whistleblower Reprisal Act to know that it was a violation of federal law and under DoDIG oversight, and would have never downplayed a whistleblower reprisal complaint. [REDACTED] testified that he remembers there were trends of concern within the Brigade and he wanted to make sure that the IG office was completely above board concerning complaints coming from that unit. [REDACTED] testified that he was hearing enough reprisal type complaints from this unit, which made him very sensitive to the command atmosphere in the unit. [REDACTED] testified he would have to look at their local casefile to see if it would jog his memory on anything.

[REDACTED] testified that the investigating officer should talk to [REDACTED] in reference to corroborating the concerns they (IG Office) had with the 35<sup>th</sup> Signal Brigade.

[REDACTED] testified he wanted to add that if one of his investigators, [REDACTED] was involved with the [REDACTED] case, there may be questions of how he was being supervised at the time. [REDACTED] testified that he tried to get [REDACTED] supervised by his boss, [REDACTED] which he testified he had trouble doing. [REDACTED] testified that he later learned, that [REDACTED] refused to supervise [REDACTED] though he was his supervisor. He testified that [REDACTED] would pass off supervisory functions of John Hains to [REDACTED]. [REDACTED] testified that [REDACTED], for whatever reason, mission in life was to screw with [REDACTED]. He testified that [REDACTED] would harass [REDACTED] in front of co-workers and clients, and did not provide any professional guidance or wisdom based on Army Regulation (AR) 20-1 (Inspector General Activities and Procedures) and his IG experience.

[REDACTED]

Investigating Officer

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## MEMORANDUM FOR RECORD

**SUBJECT:** Summarized (sworn and recorded) testimony of [REDACTED] XVIII ABN Corps IG Office, Ft. Bragg, NC, obtained at Ft. Bragg, NC, and Ft. McPherson, GA on 9 Aug 06, from 1516 to 1711 hours by [REDACTED] the investigating officer.

**Name of Witness:** [REDACTED]

**Grade of Witness:** [REDACTED]

**SSN of Witness:** [REDACTED]

**Organization:** XVIII ABN Corps IG

**Duty assignment of Witness:** [REDACTED] XVIII ABN Corps IG Office, Ft. Bragg, NC

**Telephone number of Witness:** [REDACTED]

[REDACTED] (witness) was interviewed and the enclosed verbatim transcript contains excerpts of his relevant testimony from an inspector general investigation into activities at the XVIII ABC IG office. Portions of the witness' testimony were removed due to not being relevant to the OSC investigation. Some of the allegations and issues discussed during that interview became the focus of an investigation directed by the Office of Special Counsel (OSC). The witness was informed that the IO had been directed, at a later date, to complete a separate investigation of the OSC allegations. The witness was informed the IO is not using IG procedures in this second investigation, nor is he acting in his IG capacity. The witness was also informed for the OSC investigation, the IO is following AR 15-6 type procedures for records release. That means that the witness' identity, and his testimony, may be released for official uses only to various government agencies, to include the President himself.

The witness was informed that his testimony may be released outside of official channels under normal FOIA and Privacy Act rules, but the witness' identity should remain protected. The witness had the option of reviewing, adopting and amending this prior IG testimony for purposes of the OSC investigation, or had the option of giving new testimony. The witness was informed of the authority for the inquiry, information required by the Privacy Act of 1974, and of the rights of a witness. The witness was also informed that he was not suspected of a criminal offense, however, that we

AFCG-IG

SUBJECT: Summarized Testimony of

[REDACTED]

had information that may be unfavorable to him. The witness was informed that we were required to give him the opportunity to comment on those matters. The witness was informed that he did not have to answer any question that may tend to incriminate him.

[REDACTED]

Encl  
as

Investigating Officer

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PRIVACY ACT INFORMATION

DATA REQUIRED BY THE PRIVACY ACT OF 1974  
PRIVACY ACT STATEMENT  
FOR PERSONAL INFORMATION TAKEN DURING  
WITNESS TESTIMONY

**AUTHORITY:** Title 5 US Code, Section 552a.

**PRINCIPAL PURPOSE(S):** Information is collected during an investigation to aid in determining facts and circumstances surrounding allegations/problems. The information is assembled in report format and presented to the official directing the inquiry/investigation as a basis for Department of Defense/Department of the Army decision making. The information may be used as evidence in judicial or administrative proceedings or for other official purposes within the Department of Defense. Disclosure of Social Security Account Number, if requested, is used to further identify the individual providing the testimony.

**ROUTINE USES:**

- a. The information may be forwarded to federal, state or local law enforcement agencies for their use.
- b. May be used as a basis for summaries, briefings or responses to Members of Congress or other agencies in the Executive Branch of the Federal Government.
- c. May be provided to Congress or other federal, state and local agencies, when determined necessary by The Inspector General (DAIG).

**MANDATORY OR VOLUNTARY DISCLOSURE AND EFFECT ON INDIVIDUAL NOT PROVIDING INFORMATION:**

**For Military Personnel:** The disclosure of Social Security Account Number is voluntary where requested. Disclosure of other personal information is mandatory and failure to do so may subject the individual to disciplinary action.

**For Department of the Army Civilians:** The disclosure of Social Security Account Number is voluntary. However, failure to disclose other personal information in relation to your position responsibilities may subject you to adverse personnel action.

**For All Other Personnel:** The disclosure of Social Security Account Number, where requested, and other personal information is voluntary and no adverse action can be taken against you for refusing to provide information about yourself.

DATE: 11 Jan 07

SIGNATURE



SWORN STATEMENT

For use of this form, see AR 100-48; the proponent agency is DMC.

PRIVACY ACT STATEMENT

AUTHORITY: Title 10 USC Section 201; Title 5 USC Section 552; E.O. 12958, NOVEMBER 20, 1995.
PRINCIPAL PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately identified.
ROUTINE USES: Your social security number is used as an additional/alternate means of identification for filing and retrieval.
DISCLOSURE: Disclosure of your social security number is voluntary.

1. LOCATION 2. DATE (YYYY) 3. TIME FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME 6. SSN 7. GRADE/STATUS
XVIII Abn Corps IC, Ft. Bragg, NC

9. I, [redacted], US Army, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:
I verify that the attached summarized testimony is an accurate representation of the interview which occurred between myself and the Investigating Officer, LTC Gregory S. McAfee, on 6 FEB 07. I would like to clarify or add the following additional statement concerning this matter.
Attached summarized testimony contained on four (4) typed pages, taken by telephone on 06 FEB 07; one word changed and initialed to enhance accuracy ("god" changed to "good").

10. EXHIBIT 11. INITIALS STATEMENT PAGE 1 OF 7 PAGES
ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF [redacted] TAKEN AT [redacted] DATED [redacted]"
THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE INDICATED.

C-10d

USE THIS PAGE IF NEEDED. IF THIS PAGE IS NOT NEEDED, PLEASE PROCEED TO FINAL PAGE OF THIS FORM.

STATEMENT OF \_\_\_\_\_ TAKEN AT \_\_\_\_\_ DATED \_\_\_\_\_

8. STATEMENT (Continued)

[Redacted area]

INITIALS OF PERSON MAKING STATEMENT

PAGE 2 OF 7 PAGES



11 Feb 07

MEMORANDUM FOR RECORD

SUBJECT: Summarized (sworn and recorded) testimony of [redacted] XVIII ABN Corps IG, Ft. Bragg, NC, obtained by telephonic interview at Ft. Bragg, NC and Ft. McPherson, GA, on 8 Feb 07, from 1004 to 1058 hours by [redacted] the investigating officer.

2/6/07

Name of Witness: [redacted]

Grade of Witness: [redacted]

SSN of Witness: [redacted]

Organization: XVIII ABN Corps IG

Duty assignment of Witness: [redacted] XVIII ABN Corps, Ft. Bragg, NC

Telephone number of Witness: DSN [redacted]

[redacted] (witness) was interviewed and informed that this was an investigation directed by the Office of Special Counsel (OSC). The witness was informed that the IO has been directed to complete an investigation of OSC disclosures. The witness was informed the IO is not using IG procedures in this investigation, nor is he acting in his IG capacity. The witness was also informed for the OSC investigation the IO is following AR 15-6 type procedures for records release. That means that the witness's identity, and his testimony, may be released for official uses only to various government agencies, to include the President himself. The witness was informed that this testimony may be released outside of official channels under normal FOIA and Privacy Act rules, but that his identity should remain protected. The witness was informed of the authority for the inquiry, information required by the Privacy Act of 1974, and of the rights of a witness. The witness was also informed that he was not suspected of a criminal offense, however, that we had information that may be unfavorable to him. The witness was informed that we were giving him the opportunity to comment on those matters. The witness was informed that he did not have to answer any question that may tend to incriminate him.

[redacted] testified the [redacted] case (Oct 04) was around the same time when he had made a TDY trip to Iraq in preparation of his impending deployment there. He testified that he was gone to Iraq 25 Oct - 5 Nov 04.

[redacted]

Alles 3

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Jeay trip  
10/25 - 11/5/04

[redacted]

11 417

AFCG-IG

SUBJECT: Summarized Testimony of [REDACTED]

[REDACTED]

*alleg 3*

[REDACTED] testified he couldn't remember when he was told about [REDACTED] case concerning her allegations that her battalion commander may have had an improper relationship. He testified that he didn't think he was told about the case by his IGs before he left for Iraq, but thought he first learned about it once he had returned. [REDACTED] testified he remembered [REDACTED] moving slow on the case, so he wouldn't have to work it. [REDACTED] testified that it was his impression that [REDACTED] was going to delay long enough to make sure the case would have to be pushed forward with the Command's decision makers and investigated in Iraq. [REDACTED] testified he had made it very clear to [REDACTED] that he wanted him to move forward on the case so the Commanding General and Brigade Commander would have enough facts in order to make an informed decision on the fate of the battalion commander before they deployed.

*→*  
*→*

[REDACTED]

*In know about improper relasp before he went to Iraq*

[REDACTED] testified he did not remember a course of action being presented to him by his IGs to refer the allegations against the battalion commander to the 35<sup>th</sup> Signal Brigade Commander, [REDACTED] testified, in general, referring the allegations to the brigade commander wouldn't have been a good idea. He testified that [REDACTED] was "too close" to the matters as the brigade commander, which would have put [REDACTED] in the position of having a potential conflict of interest. [REDACTED] testified he didn't think it was a good idea for a brigade commander to investigate a direct subordinate.

*good*

[REDACTED]

[REDACTED] testified he never ordered the case closed in the office as an assistance case or not to investigate it. He testified that he knew there was the perception issue of the improper relationship within the unit, and the allegations warranted attention and investigation, and they, the IG, needed to deal with it in a timely and effective manner.

[REDACTED] testified he wasn't sure what [REDACTED] brigade commander, [REDACTED] knew about the improper relationship previously. He testified that he notified [REDACTED] in early November 2004 that there were allegations against one of his battalion commanders, [REDACTED] and told him the CG or DCG were probably going to call him about it. [REDACTED] testified [REDACTED] told him there were indications or perceptions, previously of the improper relationship, and he, [REDACTED] had conducted a commander's inquiry into it. [REDACTED] testified that he didn't pursue anything else with [REDACTED] because they, the IG, were moving out with the case and were going to find out for sure.

*improper relasp*

[REDACTED]

*alleg 4  
from improper relasp commander's inquiry*

[REDACTED] testified he could not recall if it had been brought to his attention there was a complaint or a potential allegation against [REDACTED] for covering up the alleged improprieties of his battalion commander. [REDACTED] testified that he didn't believe [REDACTED] had covered for his [REDACTED]

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*2*

[REDACTED]

*0511*

AFCG-IG

SUBJECT: Summarized Testimony of [REDACTED]

[REDACTED] battalion commander, but thought that he may have tried to protect his subordinate commander's good name. [REDACTED] testified if there was that impression of these particular allegations against [REDACTED] in his office, that it might have been a case of [REDACTED] exaggerating them so he could bring down a Senior NCO or Field Grade officer, especially [REDACTED] testified his overarching concern at the time was that two of his IGs, [REDACTED] and [REDACTED], were dragging their heels on the case so it would end up having to be investigated in Iraq.

*improper  
relationship*

[REDACTED] testified that he remembered in general terms, that [REDACTED] told him he had found some concern with [REDACTED] and the perception of an improper relationship was valid, and he, [REDACTED] had admonished [REDACTED]

[REDACTED] denied the allegation that he covered up any allegation against [REDACTED] testified, that at the time he was trying to get as much timely and accurate information as possible to the Commanding General to act upon before everyone deployed.

*allegations*

[REDACTED] testified after the conversation with [REDACTED] he went back to the office and told [REDACTED] that [REDACTED] had looked into the allegations against [REDACTED], and had done a commander's inquiry [REDACTED]

[REDACTED] testified that he did not take any more action on the matter. [REDACTED] testified it was his intent to leave it up to which ever investigating officer ended up looking at it, either IG or AR 15-6 officer, at that point because he was not going to start the investigation, he was just doing some preliminary analysis.

[REDACTED] testified that he did not remember [REDACTED] traveling to Ft Belvoir, VA to interview a witness, the former 51<sup>st</sup> Signal Battalion XO, [REDACTED]

[REDACTED] testified that he had talked to [REDACTED] once they got to Iraq to find out what happened with the investigation. [REDACTED] testified that [REDACTED] told him that some of the allegations had been substantiated.

*below  
steph*

[REDACTED] testified that I should talk to [REDACTED] about these matters. He testified [REDACTED] knew about these matters because she usually sat in on interviews as the office's transcriptionist. However, he testified once he got to Iraq he had heard that [REDACTED] did not sit in on some of the interviews, which concerned him because she was hired to ensure an accurate record was kept. He testified this also concerned him because [REDACTED] was known to come into interviews and take them over and pursue his own line of questioning.

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[REDACTED]

*U 4/19*

AFCG-IG

SUBJECT: Summarized Testimony of [REDACTED]

[REDACTED] testified about a similar case which had been going on at the same time as the [REDACTED] case. He confirmed his previous testimony that the case against [REDACTED] allowing Soldiers to drink alcohol while deployed was handled properly in their office. He testified that he never delayed or told anyone he didn't want to refer the allegations to the brigade commander because he didn't want to burden them before deployment. He testified that the unit wasn't that close to their deployment at the time, July-September 2004, to have warranted any concern like that.

[REDACTED] testified if his testimony were to become part of an official inspector general record, he did not consent to the release of his testimony outside official channels if there was a request for it under the Freedom of Information Act.

*do consent*

[REDACTED]

Investigating Officer

*ally 5*  
[REDACTED]

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4

[REDACTED]

*11/11*

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DEPARTMENT OF THE ARMY  
OFFICE OF INSPECTOR GENERAL  
HEADQUARTERS, US ARMY FORCES COMMAND

TAPE TRANSCRIPTION

INTERVIEW OF

[REDACTED]

August 9, 2006

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