



# Report of Investigation

REPORT BY: SA (b)(6);(b)(7)(C)

FILE NO: 331-C-120AA4-13339191061020

PERIOD OF REPORT: 15 Apr 19 – 23 Jun 19

DATE OF REPORT: 23 Jun 19

SUBJECT: JOHN EARL HYTEN; Male Born: (b)(6);(b)(7)(C) O-10; SSN: (b)(6);(b)(7)(C) US Strategic Command (USSTRATCOM), Offutt AFB, NE

VICTIM: KATHRYN ANN SPLETSTOSER; Female Born: (b)(6);(b)(7)(C) O-6; SSN: (b)(6);(b)(7)(C) (b)(6);(b)(7)(C) Defense Threat Reduction Agency (DOD), Fort Belvoir, VA

MATTERS INVESTIGATED			
INCIDENT	OFFENSE DESCRIPTION	SUBJECT	VICTIM
2M206EYW	ABUSIVE SEXUAL CONTACT ON OR AFTER JUNE 28, 2012	JOHN E. HYTEN	KATHRYN A. SPLETSTOSER
2M206EYT	ABUSIVE SEXUAL CONTACT ON OR AFTER JUNE 28, 2012	JOHN E. HYTEN	KATHRYN A. SPLETSTOSER

STATUS: Referred for Action. Action Authority or designee must report to AFOSI all dispositions on investigated offenses and specifications (AFI 71-101, Volume 1).

(b)(6);(b)(7)(C)

(b)(6);(b)(7)(C) SA, USAF

Commander, AFOSI Det 331

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SUMMARY OF INVESTIGATION

This investigation was initiated on 15 Apr 19, when Lt Gen SAMI D. SAID, Inspector General (IG), Secretary of the Air Force (SAF), Pentagon, Washington DC, provided AFOSI with a Memorandum For Record (MFR) dated 12 Apr 19, wherein VICTIM alleged multiple instances of unwanted touching and inappropriate behavior, to include non-consensual kissing and touching by SUBJECT from February 2017 – February 2018.

From November 2016 until her official relief in March 2018, VICTIM served as the Director of SUBJECT’s Commander’s Action Group (CAG). In that capacity, she had daily interaction with SUBJECT and traveled with him regularly on official travel. On 17 Apr 19, AFOSI interviewed VICTIM. VICTIM outlined multiple instances of unwanted touching and non-consensual kissing by SUBJECT. The first was in February 2017 while in Palo Alto, CA, where, while alone in SUBJECT’s room, SUBJECT grabbed VICTIM’s left hand and pulled it to his groin. VICTIM alleged that on separate TDYs, SUBJECT called VICTIM to his hotel room and tried to kiss her, that while going over staff work in SUBJECT’s hotel room SUBJECT stood over VICTIM’s shoulder and put his arms around her, touching her breasts and then turned her around and began kissing her on the lips. In December 2017, while at the Reagan National Defense Forum in Simi, CA, after everyone had gone to his or her hotel room, SUBJECT knocked on VICTIM’s door and, when she answered, entered uninvited. While in VICTIM’s room, SUBJECT pulled VICTIM to him, began kissing her on the lips and holding her tight while he pressed his body against hers. After approximately one minute, SUBJECT ejaculated in his gym shorts. VICTIM stated she and SUBJECT had an inappropriate relationship, evidence of which AFOSI could corroborate through interviews with USSTRATCOM staff members and a review of SUBJECT’s electronic communications. VICTIM stated SUBJECT routinely added VICTIM to social events and required her to travel with him, despite her presence often not being necessary for the mission.

On 16 May 19, AFOSI interviewed SUBJECT. Following advisement of his Article 31 rights, SUBJECT denied there was ever anything unprofessional or sexual that ever happened between VICTIM and himself. AFOSI confronted SUBJECT with each instance of sexual contact or unwanted touching and SUBJECT unequivocally denied each allegation, and stated VICTIM was lying.

AFOSI confirmed VICTIM and SUBJECT traveled together frequently; however, AFOSI was unable to find indications of an unprofessional relationship either electronically or through witness interviews. No one AFOSI interviewed, to include those who traveled with SUBJECT and VICTIM had witnessed VICTIM alone with SUBJECT for more than a brief amount of time, usually in his office. No one believed VICTIM had special privileges with SUBJECT. No one viewed their relationship as unprofessional or potentially sexual. AFOSI was unable to identify anyone who witnessed SUBJECT act unprofessionally with VICTIM, or anyone else, to include while assigned to Air Force Space Command.

During an interview with AFOSI, (b)(6);(b)(7)(C) Civ (b)(6);(b)(7)(C) (b)(6);(b)(7)(C) stated she did not believe the allegations and (b)(6);(b)(7)(C) (b)(6);(b)(7)(C) Further, (b)(6);(b)(7)(C) stated SUBJECT completed a polygraph examination which was paid for with personal funds. (b)(6);(b)(7)(C) stated SUBJECT was frustrated with the results of the examination which she described as inconclusive. (b)(6);(b)(7)(C) was unable to provide AFOSI with the name of the polygrapher, their company, or describe the questions asked of SUBJECT during the exam. SUBJECT, through his counsel, declined to address these issues via a second interview or written statement.





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**1-1 ELEMENTS OF PROOF**

Abusive Sexual Contact, Violation of Article 120, UCMJ	<b>Ref Para #:</b>
Any person subject to this chapter who commits or causes sexual contact upon or by another person, if to do so would violate subsection (b) (sexual assault) had the sexual contact been a sexual act, is guilty of abusive sexual contact and shall be punished as a court-martial may direct.	2-1, 2-2, 2-21, 2-72

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**NARRATIVE**

2-1 This investigation was initiated on 15 Apr 19, when Lt Gen SAMI D. SAID, Inspector General (IG), Secretary of the Air Force (SAF), Pentagon, Washington DC, provided AFOSI with a Memorandum For Record (MFR) dated 12 Apr 19, wherein VICTIM alleged multiple instances of unwanted touching and inappropriate behavior, to include non-consensual kissing and touching by SUBJECT from February 2017 – to February 2018.

2-2 On 15 Apr 19, SA (b)(6);(b)(7)(C) Det 331, Joint Base Andrews (JBA), MD, reviewed the MFR provided by VICTIM to the Inspector General (**Exhibit 1**), which disclosed she began working for SUBJECT when he assumed command of US Strategic Command (USSTRATCOM) on 3 Nov 16. In February 2017, VICTIM traveled with SUBJECT to Palo Alto, CA, for work. In SUBJECT’s hotel room that evening, SUBJECT took VICTIM’s left hand and pulled it to his groin as he thanked her for her work. SUBJECT held her hand on his groin until VICTIM pulled away from him. VICTIM did not discuss this incident with SUBJECT. In May 2017, while in Monterey, CA for work, VICTIM and SUBJECT stayed the night in a hotel due to inclement weather. SUBJECT text messaged VICTIM and asked her to come to his hotel room for work issues. When VICTIM arrived, SUBJECT was half dressed from showering. VICTIM handed SUBJECT some paperwork and SUBJECT attempted to kiss VICTIM. VICTIM moved away from SUBJECT and asked what he was trying to do. SUBJECT told VICTIM he felt very close to her, but VICTIM replied it was inappropriate and (b)(6);(b)(7)(C) would not approve. Afterward, SUBJECT acted like nothing occurred between them. Between May 2017 and February 2018, VICTIM stated there were several instances of non-specific unprofessional behavior involving her and SUBJECT, which included SUBJECT attempting to touch, hug, and/or kiss her. SUBJECT became frustrated with VICTIM because she was unwilling to reciprocate his actions. In June 2017, while in SUBJECT’s hotel suite in Washington, DC, SUBJECT and VICTIM were working when SUBJECT, as he stood behind her, put his arms around VICTIM and touched her breasts. SUBJECT turned VICTIM around and kissed VICTIM on the lips. VICTIM asked what SUBJECT was doing and SUBJECT stated he “wanted to see how it felt.” VICTIM pushed SUBJECT away and said they “we’re not doing this.” SUBJECT asked why not and VICTIM replied because he was her boss and he was married. In August 2017, while in The Republic of Korea (ROK – “South Korea”) on a Pacific Command (PACOM) trip, the amount of media coverage SUBJECT received stressed him out. During this time, he hugged VICTIM, and VICTIM pushed SUBJECT away and told him to compose himself. In September 2017, during a work trip to London, UK, SUBJECT asked VICTIM to stop by his hotel room to discuss work. While there, SUBJECT grabbed VICTIM’s arm and asked her to stay awhile. VICTIM told SUBJECT he could not continue to do these things and left. In November 2017, during a work trip to Halifax, Nova Scotia, SUBJECT again became nervous due to media coverage and again hugged VICTIM. VICTIM pulled away and reminded him again to stop touching her. VICTIM stated there were hundreds of emails between her and SUBJECT on classified and unclassified systems, along with text messages on government mobile phones, all of which alluded to an unprofessional relationship he fostered.

Agent Note: No further information, to include addresses, specific dates, etc., were provided in the MFR.

2-3 On 16 Apr 19, SA (b)(6);(b)(7)(C) Det 331, JBA, MD, conducted a DoD Person Search (DPS), which disclosed SUBJECT was an Active Duty USAF O-10 (b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)





- 2-4 On 16 Apr 19, SA (b)(6);(b)(7)(C) conducted a DPS check, which disclosed VICTIM was an Active Duty US Army O-6 (b)(6);(b)(7)(C)
- 2-5 On 16 Apr 19, SA (b)(6);(b)(7)(C) conducted a DoD Defense Law Enforcement Data Exchange (DDEX) check for SUBJECT, which disclosed (b)(6);(b)(7)(C)
- 2-6 On 16 Apr 19, SA (b)(6);(b)(7)(C) conducted a DDEX check for VICTIM which disclosed (b)(6);(b)(7)(C)
- 2-7 On 16 Apr 19, SA (b)(6);(b)(7)(C) conducted a Security Forces Management Information System (SFMIS) check for SUBJECT which disclosed (b)(6);(b)(7)(C)
- 2-8 On 16 Apr 19, SA (b)(6);(b)(7)(C) conducted a SFMIS check for VICTIM which disclosed (b)(6);(b)(7)(C)
- 2-9 On 16 Apr 19, SA (b)(6);(b)(7)(C) conducted a Web Investigative Information Management System (WI2MS) check for SUBJECT, which disclosed (b)(6);(b)(7)(C)
- 2-10 On 16 Apr 19, SA (b)(6);(b)(7)(C) conducted a WI2MS check for VICTIM, which disclosed (b)(6);(b)(7)(C)
- 2-11 On 16 Apr 19, SA (b)(6);(b)(7)(C) Det 331, JBA, MD, conducted a Classified Investigative Information Management System (CI2MS) check for SUBJECT, which disclosed (b)(6);(b)(7)(C)
- 2-12 On 16 Apr 19, SA (b)(6);(b)(7)(C) conducted a CI2MS check for VICTIM which disclosed (b)(6);(b)(7)(C)
- 2-13 On 16 Apr 19, SA (b)(6);(b)(7)(C) conducted a Defense Central Index of Investigations (DCII) check for SUBJECT, which disclosed (b)(6);(b)(7)(C)
- 2-14 On 16 Apr 19, SA (b)(6);(b)(7)(C) conducted a DCII check for VICTIM which disclosed (b)(6);(b)(7)(C)
- 2-15 On 16 Apr 19, SA (b)(6);(b)(7)(C) Det 331, JBA, MD, and SA (b)(6);(b)(7)(C) briefed Lt Col (b)(6);(b)(7)(C) Senior Trial Counsel (STC), Air Force Legal Operations Agency (AFLOA), JBA, MD, on the facts and circumstances of this investigation. (b)(6);(b)(7)(C) stated he would be the assigned STC for this investigation.
- 2-16 On 16 Apr 19, SA (b)(6);(b)(7)(C) conducted a Legacy I2MS (LI2MS) check for SUBJECT which disclosed (b)(6);(b)(7)(C)
- 2-17 On 16 Apr 19, SA (b)(6);(b)(7)(C) conducted a LI2MS check for VICTIM which disclosed (b)(6);(b)(7)(C)





- 2-18 On 16 Apr 19, SA [b)(6);(b)(7)(C)] conducted a National Crime Information Center (NCIC) check for SUBJECT which disclosed [b)(6);(b)(7)(C)]
- 2-19 On 16 Apr 19, SA [b)(6);(b)(7)(C)] conducted an NCIC check for VICTIM which disclosed [b)(6);(b)(7)(C)]
- 2-20 On 16 Apr 19, SA [b)(6);(b)(7)(C)] conducted an Automated Records Management System (ARMS) check for SUBJECT, which disclosed [b)(6);(b)(7)(C)]
- 2-21 **VICTIM Interview:** On 17 Apr 19, SA [b)(6);(b)(7)(C)] and SA [b)(6);(b)(7)(C)] AFOSI Investigations, Collections, and Operations Nexus (ICON), Marine Corps Base-Quantico (MCB-Quantico), VA, interviewed VICTIM at Det 331, JBA, MD. AFOSI advised VICTIM of the availability of a Special Victims Counsel (SVC), was provided a DD Form 2701, and was offered support agency services. Subsequent to this information, VICTIM provided AFOSI with a second undated MFR (**Exhibit 3**), which she drafted outlining multiple instances of unwanted sexual contact by SUBJECT. A review of the MFR, titled "OSI Notes – Inappropriate Conduct and Unwanted Sexual Contact" revealed the following: VICTIM stated a review of e-mails between SUBJECT and VICTIM on the Non-classified Internet Protocol (IP) Router Network (NIPR), Secret Internet Protocol Router Network (SIPR) and Joint Worldwide Intelligence Communications System (JWICS) networks, as well as text messages exchanged between VICTIM and SUBJECT on their government cellphones would demonstrate the nature of the relationship which existed between SUBJECT and VICTIM. VICTIM stated SUBJECT routinely asked Protocol to add her to social events, and that SUBJECT was constantly pressuring her to spend off-duty time with him beyond what other staff members were expected to do. VICTIM then outlined multiple instances of unwanted touching and non-consensual kissing by SUBJECT. The first was in February 2017 while in Palo Alto, CA, for engagements with Stanford University. At the end of the day, SUBJECT dismissed all of his staff from his hotel room with the exception of VICTIM who he requested stay to discuss talking points prepared for the following day. SUBJECT then called [b)(6);(b)(7)(C)] while VICTIM was waiting in his room. When VICTIM went to leave the room, SUBJECT grabbed her left hand and pulled it to his groin. SUBJECT held VICTIM's hand at his groin until she pulled it away. SUBJECT and VICTIM did not discuss the encounter. In May 2017, VICTIM accompanied SUBJECT on what was to be a one-day trip to the Naval Postgraduate School in Monterey, CA. Due to weather, the team unexpectedly spent the night in CA. At the end of the day, VICTIM went to the hotel bar with Lt Col [b)(6);(b)(7)(C)] United States Air Force, HAF, Pentagon, DC and Maj [b)(6);(b)(7)(C)] US Army Command and General Staff College (ACGSC), Fort Leavenworth, KS. SUBJECT then texted VICTIM requesting she come to his room to discuss work issues. When she arrived, SUBJECT was half dressed after having taken a shower (Agent Note: VICTIM later described this as wearing pants and a shirt, but no uniform blouse). When VICTIM handed SUBJECT some paperwork, he moved towards her and tried to kiss her. VICTIM asked SUBJECT what he was trying to do, and he stated he felt really close to her and then "snapped out of it." VICTIM told SUBJECT she felt his actions were inappropriate and [b)(6);(b)(7)(C)] would not approve. SUBJECT apologized and the next day acted as though nothing had happened between them the night before. Between May 2017 and February 2018, VICTIM was regularly alone with SUBJECT in his offices at both Offutt AFB and the Pentagon. VICTIM stated at numerous occasions SUBJECT would share his feelings for VICTIM, attempt to hug her, kiss her or otherwise touch her. VICTIM stated SUBJECT's desk in his OAFB office was behind a short wall and his office at the Pentagon was within a Secure Compartmented Information Facility (SCIF) that required swipe access to enter. SUBJECT would also





come to VICTIM's Pentagon office, which similarly required swipe access. In June 2017, while going over staff work in SUBJECT's hotel room in Washington DC (Agent Note: identified as the Embassy Suites, 1300 Jefferson Davis Hwy, Arlington, VA), SUBJECT stood over VICTIM's shoulder looking over key points when he put his arms around her, touching her breasts and then turned her around and began kissing her on the lips. When VICTIM pushed him back and asked him what he was doing, SUBJECT stated he was curious and wanted to see how kissing her felt. VICTIM stated they were "not doing this," and that it was inappropriate because he was married and was her boss. SUBJECT told VICTIM he thought she liked him. VICTIM responded it "was not like that" and that he was not her type. SUBJECT asked VICTIM what her type was and she stated she preferred individuals who were single, not in her chain of command, and liked men of color. SUBJECT was upset and responded it explained why she and [b](6);(b)(7)(C)] were close. VICTIM stated SUBJECT acted sorry and she felt he had gotten the message. In August 2017, VICTIM accompanied SUBJECT on a trip to the Pacific Command (PACOM) area of responsibility (AOR). SUBJECT was nervous due to the amount of media coverage and an upcoming press conference he was hosting. SUBJECT told VICTIM he had not slept well the prior evening. While in his room, SUBJECT "freaked out and stated hugging" VICTIM and VICTIM felt like he was going to try to kiss her again; VICTIM pushed SUBJECT away, told him he needed to compose himself and focus on the mission. SUBJECT did and calmed down. In September 2017, during a trip to London, SUBJECT requested VICTIM stop by his room. When she did, he grabbed her arm and asked her to stay awhile. VICTIM said no, noted others were waiting for her, admonished him that he could not continue doing this and that she was uncomfortable. In November 2017, on the final morning of the trip, prior to leaving for the airport, SUBJECT requested VICTIM come to his hotel room. While there, SUBJECT thanked VICTIM for helping him get through the trip's events and started hugging her. VICTIM told SUBJECT he was welcome, and reminded him again to stop touching her. In December 2017, while at the Reagan National Defense Forum in Simi, CA, after everyone had gone to his or her hotel rooms, VICTIM received a knock at her door. When she opened the door, SUBJECT entered uninvited, holding a binder. SUBJECT was in workout clothes. SUBJECT had never come to VICTIM's room before, and typically did not know where her room was. On this trip, VICTIM's room happened to be almost directly across from SUBJECT's room, so SUBJECT was aware of where VICTIM's room was. (Agent Note: AFOSI confirmed VICTIM's room was in close proximity to SUBJECT's room; **ref para 2-67**). SUBJECT sat down on VICTIM's bed and asked VICTIM to sit with him. VICTIM stated this was weird, but did not feel threatening. SUBJECT reached for her hand, and VICTIM stood up and asked him what he was doing. SUBJECT stood up, pulled VICTIM to him, began kissing her on the lips and holding her tight while he pressed his body against hers. After approximately one minute, SUBJECT ejaculated in his gym shorts at which point VICTIM pushed him away from her and asked why he did that. SUBJECT stated he thought VICTIM would like it. SUBJECT asked if VICTIM was going to tell on him; VICTIM responded no, not today, and asked who she could tell anyway. VICTIM gave SUBJECT a towel, told him to go to her bathroom and get cleaned up. After SUBJECT came out of the bathroom, she gave him his binder back so he could cover himself and he left. On 10 Jan 18, after the misunderstanding (Agent Note: VICTIM was referring to her reaction to being counseled by SUBJECT) Major General DANIEL L. KARBLER, Chief of Staff, USSTRATCOM, Offutt AFB, NE, called VICTIM to his office and asked what was going on between her and SUBJECT, and how VICTIM could get SUBJECT to do things he could not. VICTIM stated she would apologize to SUBJECT and did so on 11 Jan 18 in his office. When VICTIM apologized, SUBJECT began crying and stated he appreciated the apology, but that his feelings were hurt. Between May and August of 2018, after VICTIM was relieved of duty and had departed from USSTRATCOM, and while a no-contact order was in place between SUBJECT and VICTIM, VICTIM received multiple calls from a number associated with SUBJECT. VICTIM then outlines in her written MFR her motivation to report this information, stating that at the







time she felt she was in an impossible, isolated and compromised position and feared retaliation, embarrassment, humiliation and the negative impact it would cause [REDACTED] VICTIM also did not know who she could report to because SUBJECT's security detail was led by AFOSI agents from the OAFB detachment (Agent Note: AFOSI Det 204). VICTIM had concerns her report would not be treated seriously, and was fearful of media scrutiny and counter-accusations. VICTIM stated it was SUBJECT's recent nomination to be the Vice Chairman of the Joint Chiefs of Staff (VCJCS) which drove her to report now, fearing that SUBJECT's continued service could put other military members at risk. VICTIM stated she was unsure whether the incidents she experienced were isolated, or if other victim's exist. VICTIM stated there was no possible gain for her in making these allegations and it was not an attempt to 'get back' at SUBJECT for what he did to her (Agent Note: by which she meant removing her from her position as Director of SUBJECT's Commander's Action Group and [REDACTED])

[REDACTED]

In addition to the written MFR, VICTIM verbally provided the following information: VICTIM initially did not report the unwanted physical contact and non-consensual kissing to law enforcement, but believed there was enough information in her report to DoD OIG which would lead them to identify criminal conduct. VICTIM stated former USSTRATCOM Commander, Admiral CECIL D. HANEY, United States Navy (retired), hired her to lead his Commander Action Group (CAG), and was retained in this position by SUBJECT. VICTIM said she and SUBJECT had similar personalities and leadership styles, and SUBJECT took a personal and professional interest in her, and would have VICTIM travel with him which was not typical of a CAG Director. VICTIM stated the Executive Officer, not the CAG Director typically accompanied the Commander on trips, but that SUBJECT liked having VICTIM present. VICTIM stated the CAG was failing, and that she was tasked with correcting it, which led to a lot of friction both on the CAG and also with the USSTRATCOM front office and other J- directorates. In January 2018, an AR 15-6 (Agent Note: an Army Regulation 15-6 investigation is the Army equivalent of a Command Directed Investigation) into VICTIM which followed a preliminary inquiry. The AR 15-6 was tasked to determine if VICTIM was a toxic leader and a bully. SUBJECT advised VICTIM not to worry about the AR 15-6 and that he would take care of it. This changed when SUBJECT saw the final report implicating himself and VICTIM had an unprofessional relationship. VICTIM stated at this point, SUBJECT was determined to 'crush her,' and fired her and called her crazy. VICTIM stated she was coerced into retiring, but the Army allowed her to cancel the retirement and move to Washington DC for a new assignment. VICTIM felt SUBJECT's actions was a reprisal for her raising ethics issues with SUBJECT's travel. VICTIM stated she was worried her allegation would feed the narrative she was crazy and that initially, with SUBJECT retiring and her replacement being a male, did not feel pressure to report because she felt like there was no risk of SUBJECT engaging in this behavior in the future. VICTIM stated she freaked out when seeing SUBJECT's nomination to the VCJCS position and called the DoD OIG regarding her previous complaint. DoD OIG told VICTIM she had not told them everything, and as a result they did not substantiate wrongdoing by SUBJECT. VICTIM stated she was in contact with staffers on Capitol Hill regarding her concerns. VICTIM stated SUBJECT comes off as humble, a southern gentleman and not a tough-guy despite his size. VICTIM thought highly of SUBJECT, but stated he got weird and was an "emotional guy." VICTIM stated in February 2017 she accompanied SUBJECT to Palo Alto, CA (Agent Note: the dates of the TDY were 23 – 35 Jan 17). While there, SUBJECT called her to his room to discuss talking points. As VICTIM walked out the door, SUBJECT grabbed her hand and pushed the back of her hand to his groin. VICTIM and SUBJECT looked at each other and SUBJECT blushed, but was in control of the situation. According to VICTIM, the look on SUBJECT's face indicated the act was intentional, despite the fact he did not say anything to her. VICTIM stated SUBJECT had an erection, she pulled her hand away and SUBJECT seemed





embarrassed. VICTIM left the room and they did not discuss the incident. VICTIM stated during a May 2017 trip to Monterrey, CA, SUBJECT texted VICTIM and requested she come to his room. When she arrived, he was half-dressed (Agent Note: VICTIM stated SUBJECT was wearing pants and a shirt, but did not have his Airman Battle Uniform blouse on). Because they had not planned on staying the night, SUBJECT likely did not have any clothes he could change into. SUBJECT had likely had 1-2 beers that night, but was not intoxicated. VICTIM stated while in the room, SUBJECT leaned in and tried to kiss her. He pulled her into him by her arms (above the elbow), but it was not violent. VICTIM stated she told SUBJECT that was inappropriate, he snapped out of it and apologized. VICTIM told SUBJECT that (b)(6);(b)(7)(C) would not like it. SUBJECT did not appear to have any actual staff work to do. SUBJECT had recently showered, and his breath smelled like mouthwash. VICTIM felt this behavior was inappropriate, escalating, probing. VICTIM stated she was not flirty with SUBJECT, but would engage in banter with him. VICTIM stated SUBJECT would often seek her company outside of work, but at official functions. SUBJECT asked VICTIM to organize staff dinners at his house. VICTIM stated any time there was a cancellation, SUBJECT would have VICTIM added to the event to fill the empty seat. VICTIM stated she developed a reputation that SUBJECT was infatuated with her, that she was mean, etc., which caused her to be alienated from the rest of the STRATCOM staff. VICTIM stated SUBJECT's infatuations would move from person to person, both male and female. When SUBJECT was infatuated with someone, he would spend lots of one-on-one time with them. VICTIM stated SUBJECT would often come to her office excited, wanting to speak with her. VICTIM stated in her office, SUBJECT never tried to kiss or touch her, but would sit suggestively with his hand on his penis. VICTIM described SUBJECT as a "feely guy" who was not aggressive and who disliked yelling. VICTIM elaborated on June 2017 Washington DC incident in SUBJECT's hotel room. VICTIM stated SUBJECT was standing to her left, when he put his arm around her and cheek against hers. He then reached around her and grabbed across her breast, but did not grope her breast. She stated SUBJECT spun her around and kissed her using his tongue. SUBJECT's hands were on VICTIM's buttocks, their legs may have been entangled. VICTIM stated SUBJECT had an erection, which she could feel pressing against her. When VICTIM told SUBJECT to stop, he did. VICTIM asked what he was doing and SUBJECT stated he was curious how it [kissing VICTIM] felt and that he thought VICTIM liked him. VICTIM stated (b)(6);(b)(7)(C) began to draw conclusions that something was going on between SUBJECT and VICTIM. VICTIM told SUBJECT he could not keep trying to kiss her and SUBJECT began crying, apologized, saying he was really sorry and that he took VICTIM's signals the wrong way. VICTIM stated SUBJECT acted sorry and contrite the next day. VICTIM stated it was uncommon she would go into SUBJECT's room alone. VICTIM elaborated on the December 2017 incident at Palo Alto, CA. VICTIM stated SUBJECT came to her room between 9 and 11 pm, and sat on her bed, asking her to sit with him. VICTIM did, and SUBJECT took her hand. When SUBJECT took her hand in his, VICTIM stood and SUBJECT stood with her. SUBJECT then pulled VICTIM into him, started kissing her and holding her tightly, grabbing her in "a few places." VICTIM stated she could not break SUBJECT's embrace as he grinded his body on her and did not stop him right away. SUBJECT was not erect when he grabbed her, but became erect while he grinded on her. VICTIM stated this lasted longer than one minute, and concluded when SUBJECT ejaculated in his gym shorts. VICTIM knew SUBJECT ejaculated because it was visible on the exterior of his shorts. VICTIM was mortified, and SUBJECT seemed embarrassed. SUBJECT told VICTIM, "I thought you'd like it too." VICTIM stated she got mad and was concerned where this behavior would escalate too. SUBJECT stunned VICTIM with his boldness, but she did not feel threatened by him. She stated the television was on in the room. SUBJECT's hair was wet, he smelled like soap, and he was wearing clean workout clothes (grey oversize shorts, a baseball type shirt and gym shoes). VICTIM stated it was clear SUBJECT had not just worked out, and had used mouthwash or brushed his teeth prior to coming to her room. SUBJECT was not drunk.





SUBJECT asked VICTIM if she would tell on him, and she stated responded, “not today, John” which was the first time she used SUBJECT’s first name. VICTIM stated SUBJECT did not seem to be trying to learn about her as a person, but was trying to use her. In the other instances, SUBJECT had engaged in a single unwanted act with VICTIM, but this was multiple acts, in her room, and felt like an escalation. After VICTIM called SUBJECT by his first name, she felt the atmosphere changed and she was in charge. VICTIM elaborated on the August 2017 PACOM trip. VICTIM stated she felt like SUBJECT was more of a bigger brother to her than a boss, which was unlike her experiences in the Army. SUBJECT felt comfortable with VICTIM and did not like to be left alone. She did not believe he had similar relationships with anyone else on the staff, and that she had free approval to tell him what he needed to hear, not just what he wanted to hear. VICTIM never felt there was a sexual intention from SUBJECT, and did not know where to go or what SUBJECT’s endgame was. VICTIM stated, while alone with SUBJECT in his office, she would ask him “why are you doing this?” SUBJECT would respond that he did not understand why either, and the conversation would change to other topics. SUBJECT felt the most comfortable in his Pentagon office, and his demeanor was different depending on the environment, whether he was traveling, at home, (b)(6);(b)(7)(C) or in the office. VICTIM stated a review of her communications with SUBJECT would not show anything which corroborates her allegations of unwanted contact or which is sexually suggestive, but would show an inappropriate relationship and inappropriate interactions between her and SUBJECT. SUBJECT was close friends with Major General (retired) JAY G. SANTEE, but is unlikely to have confided with anyone about these incidents. VICTIM stated she had only told two individuals about the incidents with SUBJECT, (b)(6);(b)(7)(C) SA (b)(6);(b)(7)(C) (SA (b)(6);(b)(7)(C) 10 FIS OL-F, MSPARS, MN, and (b)(6);(b)(7)(C) Civ (b)(6);(b)(7)(C)

Agent note: (b)(6);(b)(7)(C) was interviewed regarding this investigation (ref para 2-26), however, (b)(6);(b)(7)(C) declined to speak with investigators.

2-22



2-23 On 18 Apr 19, SA (b)(6);(b)(7)(C) coordinated this investigation with SA (b)(6);(b)(7)(C) Forensic Science Consultant (FSC), AFOSI 2 FIS, JBA, MD.

2-24 On 19 Apr 19, SA (b)(6);(b)(7)(C) and SA (b)(6);(b)(7)(C) conducted an interview of (b)(6);(b)(7)(C) at 1413 Arkansas Road, JBA, MD. (b)(6);(b)(7)(C) verbally provided the following information: During the time he worked





for SUBJECT, (b)(6);(b)(7)(C) knew VICTIM to be a trusted agent within USSTRATCOM. He considered his relationship with her as one where he had to “survive contact” with her every day due to her “HOOAH” Army attitude. Some possibly perceived this attitude as abrasive, but (b)(6);(b)(7)(C) dealt with the Army mentality previously, so he found it tolerable. VICTIM generally came off as “unpolished” when speaking with people, to include SUBJECT. It was obvious SUBJECT deeply trusted VICTIM and sought counsel from her since she led his inner circle. VICTIM had unfettered access to SUBJECT, but (b)(6);(b)(7)(C) did not think it was unusual. (b)(6);(b)(7)(C) felt he had the same level of access to the point where he could go into SUBJECT’s office, shut the door and communicate concerns to him. Previous (b)(6);(b)(7)(C) also had this level of access. (b)(6);(b)(7)(C) knew of a “falling out” between SUBJECT and VICTIM after he left, saying it got “ugly,” meaning the AR 15-6 investigation. (b)(6);(b)(7)(C) never witnessed any inappropriate behavior between SUBJECT and VICTIM or SUBJECT and anyone else. SUBJECT was a “pat on the back kind of guy,” but never touched anybody inappropriately in front of (b)(6);(b)(7)(C) SUBJECT’s travel frequently involved (b)(6);(b)(7)(C) and the schedule was very compressed. When traveling by car, SUBJECT usually sat next to VICTIM in the limousine and (b)(6);(b)(7)(C) sat in the third row behind them. (b)(6);(b)(7)(C) overheard almost every conversation between SUBJECT and VICTIM and never noticed any inappropriate conversations. (b)(6);(b)(7)(C) related the USSTRATCOM team frequently dined with (b)(6);(b)(7)(C) and the aides, and the team and security officers often socialized over meals during travel and between trips. The allegation of abusive sexual contact against SUBJECT was surprising to (b)(6);(b)(7)(C) and he felt VICTIM was likely retaliating against SUBJECT due to their falling out. (b)(6);(b)(7)(C) last saw SUBJECT approximately one week ago at the Space Symposium in Washington DC and maintained contact with him through email. (b)(6);(b)(7)(C) saw SUBJECT as a mentor. (b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)  
 (b)(6);(b)(7)(C) recommended speaking with (b)(6);(b)(7)(C) and (b)(6);(b)(7)(C) Civ (b)(6);(b)(7)(C)  
 (b)(6);(b)(7)(C) (b)(6);(b)(7)(C) to SUBJECT, USSTRATCOM, OAFB, NE, and Civ (b)(6);(b)(7)(C)  
 (b)(6);(b)(7)(C) USSTRATCOM, OAFB, NE, for additional information about SUBJECT. (b)(6);(b)(7)(C)  
 declined to provide a written statement.

2-25



2-26 On 24 Apr 19, SA (b)(6);(b)(7)(C) 10th Field Investigations Squadron (FIS) Operating Location-Foxtrot (OL-F), Minneapolis-St. Paul Air Reserve Station (MSPARS), MN, interviewed SA (b)(6);(b)(7)(C) 10 FIS OL-F, MSPARS, MN, at the 10 FIS OL-F office. SA





(b)(6);(b)(7)(C) provided a signed, sworn statement (**Exhibit 6**) which essentially relayed the following information: On 14 Apr 19, VICTIM called SA (b)(6);(b)(7)(C) and asked, hypothetically, who would run an investigation if the subject was an Air Force General and the AFOSI commander was a Brigadier General? SA (b)(6);(b)(7)(C) informed VICTIM he believed AFOSI would run the investigation regardless of rank. SA (b)(6);(b)(7)(C) could tell VICTIM wanted to tell him something. SA (b)(6);(b)(7)(C) was aware VICTIM was involved in an IG complaint during the time she worked with SUBJECT but did not know the details. SA (b)(6);(b)(7)(C) assumed VICTIM wanted to talk about the IG complaint. VICTIM mentioned she spoke to her lawyer about something outside the IG complaint but they were not sure who would have jurisdiction over the matter. VICTIM was not sleeping or eating well because she could not decide what to do with the information. SA (b)(6);(b)(7)(C) told VICTIM she did not have to tell him what happened if it made her feel uncomfortable but recommended reporting the incident to the appropriate jurisdiction. VICTIM detailed one incident where SUBJECT was on the phone with (b)(6);(b)(7)(C) and SUBJECT requested VICTIM to stay so they could go over work related items. After SUBJECT and VICTIM finished their work, VICTIM attempted to leave. As VICTIM placed her right hand on the door, SUBJECT grabbed VICTIM's left hand and placed it on his penis over his clothing. Initially, VICTIM thought it was an accident. When she realized it was not an accident, VICTIM said something along the lines of "What are you doing?" SUBJECT said something that acknowledged VICTIM was not receptive to his actions and VICTIM departed. SA (b)(6);(b)(7)(C) assumed this happened in SUBJECT's office, but did not clarify with VICTIM. SA (b)(6);(b)(7)(C) did not know when this occurred. VICTIM told SA (b)(6);(b)(7)(C) there were five incidents of SUBJECT acting inappropriately and/or inappropriately touching VICTIM. SUBJECT asked VICTIM, "Are you going to tell anyone?" multiple times while they worked together. On 15 Apr 19, VICTIM mentioned to SA (b)(6);(b)(7)(C) that she was interviewed by AFOSI for six hours. In addition to the written statement, SA (b)(6);(b)(7)(C) verbally provided the following information: SA (b)(6);(b)(7)(C) had a close relationship with VICTIM and they talked on a weekly basis. SA (b)(6);(b)(7)(C) described VICTIM as a private person. From March to May 2017, SA (b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)

(b)(6);(b)(7)(C) During that time, SA (b)(6);(b)(7)(C) met SUBJECT twice (b)(6);(b)(7)(C) after VICTIM introduced them. SA (b)(6);(b)(7)(C) knew VICTIM was in SUBJECT's CAG. During the time VICTIM was at Offutt AFB, NE, VICTIM was a part of an IG complaint for a "hostile work environment." When VICTIM left Offutt AFB, NE, she filed an IG complaint about her time at Offutt AFB. SA (b)(6);(b)(7)(C) did not know the details of the IG complaints. On 14 Apr 19, when VICTIM called SA (b)(6);(b)(7)(C) she did not describe the other incidents but mentioned she never had sexual intercourse with SUBJECT and SUBJECT never raped her. SA (b)(6);(b)(7)(C) asked VICTIM why she did not say anything sooner. VICTIM said she was not going to report what happened to her because she was about to retire and SUBJECT was on his last assignment. When VICTIM heard SUBJECT was nominated for the next position (Agent Note: to be the VCJCS), VICTIM decided to report what SUBJECT did to her so it would not happen to anyone else.

2-27 **VICTIM Re-interview:** On 24 Apr 19, VICTIM, with Capt (b)(6);(b)(7)(C) VICTIM's SVC, JBA, MD, present, stated she telephoned SUBJECT and informed him of an investigation into SUBJECT and VICTIM regarding an alleged inappropriate relationship between them. SUBJECT denied an inappropriate relationship existed.

2-28 On 27 Apr 19, SA (b)(6);(b)(7)(C) reviewed VICTIM's Official Military Personnel File (OMPF) which disclosed the following: (b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)





(b)(6);(b)(7)(C)

- 2-29 On 29 Apr 19, SA (b)(6);(b)(7)(C) and SA (b)(6);(b)(7)(C) interviewed VICTIM's supervisor, USA LTG DARSIE ROGERS, Deputy Director, Defense Threat Reduction Agency (DTRA), at DTRA, 8725 John J Kingman Rd, Fort Belvoir, VA. ROGERS verbally relayed the following information: VICTIM was originally assigned to the Joint Improvised Explosive Device Defeat Organization (JIEDDO), which is a component of DTRA. Due to a lack of need for her at JIEDDO, VICTIM was moved to DTRA to work special projects for LTG ROGERS. LTG ROGERS was aware of VICTIM's DoD OIG and Army IG investigations from USSTRATCOM. LTG ROGERS purposely did not get involved in VICTIM's investigations and did not ask her the substance of the investigations. On the week of 9 Apr 19, after SUBJECT was nominated to become the Vice Chairman of the Joint Chiefs of Staff (VCJCS), VICTIM asked LTG ROGERS what she should do if she had more information on SUBJECT. LTG ROGERS understood this to mean information of a criminal nature. LTG ROGERS called USA LTG LESLIE SMITH, Department of the Army Inspector General (DAIG), Pentagon, DC, to ask what he should do if he had a soldier with more information about an allegation. LTG SMITH stated if VICTIM had more information, she needed to disclose all of it. LTG ROGERS told VICTIM not to disclose anything to him and to report everything to the DAIG. On the week of 16 Apr 19, VICTIM emailed a claim to the DoD OIG and DAIG and included LTG ROGERS on the e-mail. This was the first time LTG ROGERS was aware of VICTIM'S allegations of sexual harassment. LTG ROGERS described VICTIM as a good performer who does what she was asked to do; however, VICTIM was not asked to do much and is not challenged. VICTIM was a good teammate, stable, and exhibited no odd behavior while on the staff at DTRA. VICTIM appeared interested in future career moves, and would discuss the possibility of future assignments or promotion with LTG ROGERS.
- 2-30 On 29 Apr 19, SA (b)(6);(b)(7)(C) and SA (b)(6);(b)(7)(C) interviewed SES VAYL OXFORD, Director, DTRA, Fort Belvoir, VA, at DTRA, 8725 John J Kingman Rd, Fort Belvoir, VA. OXFORD verbally relayed the following information: OXFORD had almost no interaction with VICTIM and knew nothing about the allegations. OXFORD only had two interactions with VICTIM in the workplace and a single one-on-one counseling session. OXFORD stated he felt VICTIM was often very forceful in her advocacy and acted as though she knew how to do OXFORD's job better than he did.
- 2-31 On 29 Apr 19, SA (b)(6);(b)(7)(C) and SA (b)(6);(b)(7)(C) interviewed SA (b)(6);(b)(7)(C) Commander, Det 204, OAFB, NE at his office. SA (b)(6);(b)(7)(C) verbally provided the following information: SA (b)(6);(b)(7)(C) PCS'd to OAFB, NE in approximately August 2017. SA (b)(6);(b)(7)(C) interacted with SUBJECT on a limited basis and in a professional setting only and had no interaction with VICTIM. SA (b)(6);(b)(7)(C) commanded the PSO team assigned to protecting SUBJECT, but SA (b)(6);(b)(7)(C) had limited interactions with the PSO team. SA (b)(6);(b)(7)(C) relayed SA (b)(6);(b)(7)(C) and SA (b)(6);(b)(7)(C) Det 204, OAFB, NE, were the most knowledgeable about the day-to-day interactions between SUBJECT, VICTIM, and other members of USSTRATCOM staff.





2-32

(b)(6);(b)(7)(C)

2-33

On 29 Apr 19, SA (b)(6);(b)(7)(C) seized SUBJECT's Apple brand iPhone 7 with USSTRATCOM property tag 0579 (Evidence tag#: 13339191120742-2). SA (b)(6);(b)(7)(C) placed the phone in airplane mode and stored it in a Faraday bag after seizing the device.

2-34

On 29 Apr 19, SA (b)(6);(b)(7)(C) and SA (b)(6);(b)(7)(C) Det 331, JBA, MD, interviewed SA (b)(6);(b)(7)(C) at Det 331, JBA, MD. SA (b)(6);(b)(7)(C) provided a signed, sworn statement (**Exhibit 12**), which disclosed he was assigned to the USSTRATCOM PSD from August 2012 to January 2017, then February 2018 to the present. SA (b)(6);(b)(7)(C) worked with SUBJECT and VICTIM from November 2016 to January 2017 and February 2018 to present. Other individuals assigned to the PSD from November 2016 to February 2018 were SA (b)(6);(b)(7)(C) SA (b)(6);(b)(7)(C) SA (b)(6);(b)(7)(C) Master at Arms First Class (b)(6);(b)(7)(C) Langley Air Force Base, VA, TSgt (b)(6);(b)(7)(C) Kunsan Air Base, Korea and Petty Officer Second Class (PO2) (b)(6);(b)(7)(C) Master of Arms, Naval Air Station Misawa, Japan. Upon SA (b)(6);(b)(7)(C) return in February 2018, he was notified of a toxic command climate investigation against VICTIM. Soon after, VICTIM was removed as the CAG Director and a Department of Defense Inspector General investigation was initiated alleging that SUBJECT misused the PSD team. In addition to his written statement, SA (b)(6);(b)(7)(C) verbally provided the following: SA (b)(6);(b)(7)(C) became the security advisor for SUBJECT in August 2012 to January 2017. SA (b)(6);(b)(7)(C) deployed to United States Air Force Central Command (USAFCENT) from January 2017 to February 2018. SA (b)(6);(b)(7)(C) returned to the security advisor position in February 2018 until the present. SA (b)(6);(b)(7)(C) described SUBJECT as open, honest, genuine and trustworthy. SA (b)(6);(b)(7)(C) met VICTIM between July and November 2016 during ADM HANEY's tenure. VICTIM was assigned as the CAG Director and organized all official functions related to the USSTRATCOM Commander. SA (b)(6);(b)(7)(C) traveled on all official TDY's with SUBJECT. An average trip consisted of SUBJECT, VICTIM, Aide de Camp, USSTRATCOM Command Chief, communications team and the PSD team. Lodging accommodations consisted of all personnel in individual rooms within the same hotel. SA (b)(6);(b)(7)(C) had no information regarding inappropriate behavior between VICTIM and SUBJECT.

2-35

On 29 Apr 19, SA (b)(6);(b)(7)(C) and SA (b)(6);(b)(7)(C) interviewed SA (b)(6);(b)(7)(C) at Det 204, OAFB, NE. SA (b)(6);(b)(7)(C) provided a signed, sworn statement (**Exhibit 13**), which disclosed he was (b)(6);(b)(7)(C) (b)(6);(b)(7)(C) from June 2016 to September 2017. SA (b)(6);(b)(7)(C) met VICTIM and learned she arrived a few weeks prior to SA (b)(6);(b)(7)(C) arrival. VICTIM initially began traveling with the team to learn the job requirements and this turned into her full-time duty, as she was intelligent and knowledgeable regarding strategic deterrent theory regarding cyber operations. Her traveling with SUBJECT was often debated, as the "exec" typically traveled with the commander, vice the CAG Director. This began with the prior USSTRATCOM commander and continued when SUBJECT took command, as SUBJECT saw no reason to make unnecessary changes. VICTIM was abrasive and showed an unwavering disregard for others based on her self-proclamation that she had the experience and knowledge base to know better than other members of the staff did. SUBJECT did not seem to be





uncomfortable with VICTIM's personality, but as with many Generals, he was shielded from the drama that occurred amongst the staff. SA (b)(6);(b)(7)(C) never witnessed SUBJECT displaying any unprofessional behavior toward anyone. Toward the end of SA (b)(6);(b)(7)(C) tour, he thought VICTIM's behaviors became apparent and SA (b)(6);(b)(7)(C) thought SUBJECT spoke with VICTIM regarding this, but he was unsure. SA (b)(6);(b)(7)(C) was unsure of exactly when he learned of VICTIM's CDI, but thought it was in approximately September 2017, shortly after SA (b)(6);(b)(7)(C) left PSA duty to assume duties as the Det 204 (b)(6);(b)(7)(C). In February 2018, SA (b)(6);(b)(7)(C) attended a leadership forum in Potomac, MD, and learned of VICTIM's removal from her position. Shortly thereafter, SA (b)(6);(b)(7)(C) met with members of the PSD team for dinner, as they were in Washington, DC. (b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)  
(b)(6);(b)(7)(C)  
(b)(6);(b)(7)(C)

Subsequently, DoD OIG allegations arose that SUBJECT misused his position. SA (b)(6);(b)(7)(C) never witnessed SUBJECT misuse his position. After the public announcement for SUBJECT's nomination for appointment as the Vice Chairman, Joint Chiefs of Staff, SA (b)(6);(b)(7)(C) learned SUBJECT was under investigation for Article 120 offenses committed against VICTIM. While not told the specifics of the allegation, SA (b)(6);(b)(7)(C) stated he never observed SUBJECT act inappropriately to anyone or touch any female in an inappropriate manner. SA (b)(6);(b)(7)(C) related his job required him to be in close proximity to SUBJECT and he never heard SUBJECT make comments regarding the appearance of any female. Regarding SUBJECT's USSTRATCOM office, VICTIM came and went frequently, as she had unfettered access to him. It was not typical for VICTIM to be left alone with SUBJECT with the door closed; however, even on the occasions the door was closed, it was common for SUBJECT's staff to disregard the door being closed and enter anyway. When VICTIM left SUBJECT's office, SA (b)(6);(b)(7)(C) never saw her appear to be distressed or indicate that any interaction with him was inappropriate. (b)(7)(E)

(b)(7)(E)  
(b)(6);(b)(7)(C);(b)(7)(E)

During the Palo Alto, CA trip in February 2017, (b)(6);(b)(7)(C) recalled nothing unusual, to include SUBJECT asking VICTIM to remain after the end of day meeting between SUBJECT and his staff. In May 2017, during the day trip to Monterey, CA, (b)(6);(b)(7)(C) recalled the weather issues the caused an overnight stay there. SA (b)(6);(b)(7)(C) recalled going to the Exchange store following the days meetings to procure civilian clothing, but SUBJECT, being that he was tall, could find nothing appropriate to wear, so he remained in uniform for the evening. Under SA (b)(6);(b)(7)(C) advice to not dine off base in uniform, the team ate dinner at the on base club. The team returned to the hotel that evening between 1900 hours and 2000 hours. SA (b)(6);(b)(7)(C) recalled his room was directly across from SUBJECT's room. (b)(7)(E)

(b)(7)(E)  
(b)(6);(b)(7)(C);(b)(7)(E)

SA (b)(6);(b)(7)(C) did not see VICTIM travel to or from SUBJECT's room that evening and SA (b)(6);(b)(7)(C) was not aware of SUBJECT leaving his room that night. (b)(6);(b)(7)(C)

(b)(6);(b)(7)(C);(b)(7)(E)  
(b)(7)(E)

During the Washington, DC trip in June 2017, SA (b)(6);(b)(7)(C) recalled no times when VICTIM was alone with SUBJECT. While at the Pentagon, SUBJECT's door remained open, unless there was a classified meeting. SA (b)(6);(b)(7)(C) recalled no time when SUBJECT and VICTIM were alone behind closed doors. During the PACOM visit to ROK, SA (b)(6);(b)(7)(C) recalled SUBJECT was stressed due the worldwide media coverage. While SUBJECT was distressed, SA (b)(6);(b)(7)(C) did not feel SUBJECT was emotionally unstable. VICTIM did cover talking points with him and she told SUBJECT he was prepared. SA (b)(6);(b)(7)(C) did not see







SUBJECT hug VICTIM. In summary, SA (b)(6);(b)(7)(C) stated, with exception to (b)(6);(b)(7)(C) he spent more time with SUBJECT than anyone else assigned to USSTRATCOM. SA (b)(6);(b)(7)(C) was present for numerous conversations, overheard telephone calls, conversations with guests in SUBJECT's vehicle, and SA (b)(6);(b)(7)(C) found SUBJECT was professional in all of his interactions with others.

2-36 On 29 Apr 19, SA (b)(6);(b)(7)(C) and SA (b)(6);(b)(7)(C) interviewed SA (b)(6);(b)(7)(C) at Det 204, OAFB, NE. SA (b)(6);(b)(7)(C) provided a signed, sworn statement (**Exhibit 14**), which disclosed he has been a member of the USSTRATCOM PSD since November 2015. (b)(6);(b)(7)(C);(b)(7)(E)

(b)(6);(b)(7)(C);(b)(7)(E)

(b)(6);(b)(7)(C);(b)(7)(E) SA (b)(6);(b)(7)(C) never saw SUBJECT go into a hotel room that was not his own, when SA (b)(6);(b)(7)(C) traveled with SUBJECT. (b)(6);(b)(7)(C);(b)(7)(E)

(b)(6);(b)(7)(C);(b)(7)(E) On occasion, (b)(6);(b)(7)(C)

traveled with SUBJECT as part of the official agenda. When SA (b)(6);(b)(7)(C) first joined the team, the executive officer traveled with SUBJECT. In January 2017, after VICTIM became the CAG Director, she traveled with SUBJECT almost exclusively. SA (b)(6);(b)(7)(C) never observed VICTIM alone with SUBJECT. SA (b)(6);(b)(7)(C) has never observed nor heard of SUBJECT ever acting inappropriately towards VICTIM or anybody else. SUBJECT never made inappropriate jokes, comments nor gestures to anybody either. VICTIM was removed from her role as CAG Director because she caused a toxic command environment. After her removal, (b)(6);(b)(7)(C)

A no-contact order between VICTIM and SUBJECT was put in place at the time, and then VICTIM was investigated by the Army. Since her removal, SA (b)(6);(b)(7)(C) has participated in two investigations into SUBJECT's alleged misuse of travel and his PSD. All of the allegations arose from the time VICTIM was the CAG Director. SA (b)(6);(b)(7)(C) believed the sexual assault allegation against SUBJECT was an attempt to tarnish SUBJECT's name prior to his confirmation as the next Vice Chairman of the Joint Chiefs of Staff. SA (b)(6);(b)(7)(C) was also aware of Congressional complaints VICTIM made against SUBJECT. In addition to his written statement, SA (b)(6);(b)(7)(C) verbally provided the following information: SA (b)(6);(b)(7)(C) served as (b)(6);(b)(7)(C) from November 2016 until January or February of 2018, when SA (b)(6);(b)(7)(C) took over (b)(6);(b)(7)(C) SA (b)(6);(b)(7)(C) continued to serve on SUBJECT's PSD. SUBJECT became the USSTRATCOM commander in November 2016, and VICTIM arrived as the CAG Director in January 2018. The executive officer at the time, Col (b)(6);(b)(7)(C)

USSTRATCOM, OAFB, NE, did not want to travel after he relieved RDML SPENCER of his role, and therefore VICTIM began traveling with SUBJECT. SA (b)(6);(b)(7)(C) did not recall who had told him (b)(6);(b)(7)(C) no longer wanted to travel, but he likely inferred it from discussions with other travel team members. SA (b)(6);(b)(7)(C) noted a change in the team's dynamic when (b)(6);(b)(7)(C) stopped traveling and VICTIM did. SA (b)(6);(b)(7)(C) suspected drama within the CAG, and cited an incident that took place in Halifax, Nova Scotia, Canada, when SUBJECT and VICTIM were booked at two separate hotels. VICTIM went directly to SUBJECT to complain about this, and she yelled at SA (b)(6);(b)(7)(C) and

(b)(6);(b)(7)(C);(b)(7)(E)





(b)(6);(b)(7)(C);(b)(7)(E)

(b)(6);(b)(7)(C);(b)(7)(E) SA (b)(6);(b)(7)(C) did not attend the 2017 Palo Alto, CA trip, the Monterey, CA trip, nor the Simi Valley, CA trip. SA (b)(6);(b)(7)(C) traveled on the June 2017 Washington, DC trip, was an advance agent for the 18-26 Aug 17 Korea trip, the September 2017 London, UK trip and the September 2017 Halifax, Nova Scotia trip. The extent of interaction SA (b)(6);(b)(7)(C) observed between SUBJECT and VICTIM was at end-of-day meetings. He never saw any negative interaction, and although VICTIM had a loud and boisterous personality, she did not say anything that SA (b)(6);(b)(7)(C) thought was wildly inappropriate. Her directness with SUBJECT was a little surprising, but he noted the current aide-de-camp, (b)(6);(b)(7)(C) would also banter with SUBJECT, and be direct with him in some situations, albeit jokingly. VICTIM argued with (b)(6);(b)(7)(C) during one trip about who would ride in the limo with SUBJECT, but SA (b)(6);(b)(7)(C) noted both may have had valid reasons to want to sit next to him. Usually the aide, the executive officer or the CAG Director sat next to SUBJECT in the limo and other key members would sit in the third row of the vehicle. VICTIM had direct access to SUBJECT, as did most of the front-office staff. Most of the staff members would stop at the executive officer's desk to ask for permission to go into SUBJECT's office, but VICTIM did not. She regularly "blew past" the executive officer and went straight into SUBJECT's office. SA (b)(6);(b)(7)(C) never heard any of the conversations that took place when VICTIM went in, except for one instance after she found out she was being relieved of her position. During that instance, Col (b)(6);(b)(7)(C) USSTRATCOM J1, OAFB, NE, at Det 204, OAFB, NE, was also in SUBJECT's office. SUBJECT was not a particularly physical person and shook hands with people very frequently. SA (b)(6);(b)(7)(C) never saw him hug anybody. SUBJECT does not make vulgar jokes and was not known to be "handsy." SUBJECT was always cordial and professional with the other females on his staff, such as (b)(6);(b)(7)(C) and (b)(6);(b)(7)(C) SA (b)(6);(b)(7)(C) was surprised to learn of the allegation against SUBJECT. SA (b)(6);(b)(7)(C) was unaware of any times VICTIM and SUBJECT would have been alone in the same room. After VICTIM was disciplined, MGen KARBLESER would usually be present in SUBJECT's office when VICTIM was meeting with him.

(b)(6);(b)(7)(C)

(b)(6);(b)(7)(C) SUBJECT and (b)(6);(b)(7)(C) never discussed personal topics with each other, except for when SA (b)(6);(b)(7)(C) needed help with an assignment. Other members of SUBJECT's protective security detail were (b)(6);(b)(7)(C) and (b)(6);(b)(7)(C)

2-37 On 29 Apr 19, SA (b)(6);(b)(7)(C) and SA (b)(6);(b)(7)(C) interviewed (b)(6);(b)(7)(C) provided a signed, sworn statement (Exhibit 15), which disclosed (b)(6);(b)(7)(C);(b)(7)(E)

(b)(6);(b)(7)(C);(b)(7)(E)

SUBJECT never made (b)(6);(b)(7)(C) feel uncomfortable and SUBJECT never acted inappropriate in any way. SUBJECT had a good sense of humor, but was never vulgar, political, sexist, or racist. SUBJECT was calm and collected at all times and (b)(6);(b)(7)(C) did not consider SUBJECT to be an emotional





person. SUBJECT was passionate about the Air Force, his family, and his country; those were the topics that he showed emotions on because he cared about them deeply. (b)(6);(b)(7)(C) further described SUBJECT as a decent and moral man (b)(6);(b)(7)(C)

(b)(6);(b)(7)(C) People with direct access to SUBJECT included (b)(6);(b)(7)(C) the XO, the Deputy XO ADC, and the Security team. CMSgt (b)(6);(b)(7)(C) Senior Enlisted Advisor, USSTRATCOM, OAFB, NE, also had direct access, but usually stopped at one of the front office personnel's desk to "check-in" first to see if SUBJECT was available. In addition to her written statement, (b)(6);(b)(7)(C) verbally provided the following information: (b)(6);(b)(7)(C) arrived to USSTRATCOM in May 2018 and was officially appointed as (b)(6);(b)(7)(C) on 1 Jun 18. (b)(6);(b)(7)(C) attended approximately 30-35 trips with SUBJECT and always traveled when SUBJECT traveled. The difference between the XO traveling or the CAG Director traveling depended on who was in command. (b)(6);(b)(7)(C) stated it was not unusual for the CAG directors to travel from her past experiences. (b)(6);(b)(7)(C) never saw SUBJECT enter anyone's hotel room besides his own room or the communications suite. (b)(6);(b)(7)(C)

(b)(6);(b)(7)(C) SUBJECT only had a key card to SUBJECT's hotel room (b)(6);(b)(7)(C) (b)(6);(b)(7)(C) SUBJECT did not usually hug people and would occasionally pat individuals on the back while laughing at a joke. (b)(6);(b)(7)(C) stated this behavior was nothing unusual from what anyone would do with a normal coworker. (b)(6);(b)(7)(C) never met VICTIM, but heard things about VICTIM's performance from CAG staff members. SUBJECT never spoke with (b)(6);(b)(7)(C) about VICTIM.

2-38 On 29 Apr 19, SA (b)(6);(b)(7)(C) and SA (b)(6);(b)(7)(C) interviewed Civ (b)(6);(b)(7)(C) USSTRATCOM, OAFB, NE at Det 204, OAFB, NE. (b)(6);(b)(7)(C) provided a signed, sworn statement (Exhibit 16), which disclosed he never witnessed nor heard speculation of unprofessional conduct by SUBJECT to any member of his senior staff or associated STRATCOM personnel. (b)(6);(b)(7)(C) never heard of VICTIM having one-on-one meetings with SUBJECT in VICTIM's office, SUBJECT touching VICTIM, or SUBJECT saying unprofessional statements. SUBJECT was the gold standard of a professional and in (b)(6);(b)(7)(C) experience, never crossed such boundaries. In addition to his written statement, (b)(6);(b)(7)(C) verbally provided the following information: (b)(6);(b)(7)(C) served as the USSTRATCOM (b)(6);(b)(7)(C) from 3 Nov 16 until he retired on 1 Aug 17. (b)(6);(b)(7)(C) continued to work in USSTRATCOM, but not (b)(6);(b)(7)(C) When (b)(6);(b)(7)(C) served as (b)(6);(b)(7)(C) (b)(6);(b)(7)(C) (b)(6);(b)(7)(C) had direct access to SUBJECT and VICTIM every day; however, (b)(6);(b)(7)(C) never traveled with SUBJECT and/or VICTIM on TDYs. VICTIM was (b)(6);(b)(7)(C) and (b)(6);(b)(7)(C) described VICTIM as "hostile, spiteful, vindictive, and foul mouthed." VICTIM hurled things at (b)(6);(b)(7)(C) and would "curse him out in front of other people." (b)(6);(b)(7)(C) felt VICTIM tried to isolate SUBJECT from the rest of the CAG and serve as the only point of contact between SUBJECT and the rest of the staff. SUBJECT did not view VICTIM as special, but had respect for VICTIM and listened to VICTIM's professional opinions. VICTIM referred to SUBJECT as "difficult, complicated, and cheap" when SUBJECT was not present. (b)(6);(b)(7)(C) felt SUBJECT was "intelligent, articulate, and a straight shooter." (b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)

2-39 On 30 Apr 19, SA (b)(6);(b)(7)(C) and SA (b)(6);(b)(7)(C) Det 331, JBA, MD, interviewed CMSgt (b)(6);(b)(7)(C) who verbally provided the following information: (b)(6);(b)(7)(C) met SUBJECT between 2011 and 2012. On 3 Nov 16, (b)(6);(b)(7)(C) became (b)(6);(b)(7)(C) for SUBJECT. (b)(6);(b)(7)(C) met VICTIM in the summer of 2016 while assigned to USSTRATCOM under ADM





HANEY. (b)(6);(b)(7)(C) shared a professional relationship with both VICTIM and SUBJECT. (b)(6);(b)(7)(C) accompanied SUBJECT on approximately 20-30 official TDY's, most of which VICTIM was present. (b)(6);(b)(7)(C) noted one incident in which VICTIM became angry with SUBJECT. Between January and March 2018, SUBJECT told VICTIM she would not be attending an official event at John Hopkins University, Baltimore, MD. As a result, VICTIM became angry, exhibiting a loud tone with SUBJECT. (b)(6);(b)(7)(C) stated he was very surprised that VICTIM acted in that manner in front of senior leaders. (b)(6);(b)(7)(C) never witnessed any unprofessional behavior between VICTIM and SUBJECT, nor did he observe any unprofessional conversation about VICTIM from SUBJECT and vice versa. (b)(6);(b)(7)(C) was not aware of any private meetings between SUBJECT and VICTIM. (b)(6);(b)(7)(C)

(b)(6);(b)(7)(C);(b)(7)(E)

(b)(6);(b)(7)(C) never saw a meeting conducted in SUBJECT's hotel room, nor did he see VICTIM in SUBJECT's suite. Additionally, (b)(6);(b)(7)(C) stated it would be difficult to access SUBJECT's room without anyone noticing (b)(6);(b)(7)(C);(b)(7)(E) SUBJECT rarely traveled alone and there were no specific instances where (b)(6);(b)(7)(C) recalled VICTIM and SUBJECT alone. (b)(6);(b)(7)(C) could not recall anything that stood out from the TDY to California on 24-25 Jan 17 and 18 May 17.

2-40 On 30 Apr 19, SA (b)(6);(b)(7)(C) and SA (b)(6);(b)(7)(C) interviewed Civ (b)(6);(b)(7)(C) USSTRATCOM/J6, OAFB, NE at Det 204, OAFB, NE. (b)(6);(b)(7)(C) provided a signed, sworn statement (**Exhibit 17**), which disclosed he began working at USSTRATCOM in Nov 13, and operationally supporting SUBJECT when he took command. (b)(6);(b)(7)(C);(b)(7)(E)

(b)(6);(b)(7)(C);(b)(7)(E)

(b)(6);(b)(7)(C) never observed any questionable conduct regarding SUBJECT, to include his interactions with his team. SUBJECT was always professional and respectful. SUBJECT was quick to respectfully correct anyone who went "outside their lane." (b)(6);(b)(7)(C) and VICTIM had great interactions and were professional with one another. VICTIM provided good advice to SUBJECT, and SUBJECT seemed to appreciate it. There was once instance where VICTIM berated the team during a trip debrief after SUBJECT departed. VICTIM told everyone she was "the mother fucking mission commander" and "I do not care who tells you a trip should be planned, I am the final say so!" (b)(6);(b)(7)(C) believed this had a negative effect on multiple members of the team. (b)(6);(b)(7)(C)

(b)(6);(b)(7)(C) traveled with SUBJECT, but was not on all trips. (b)(6);(b)(7)(C) was on the Monterey, CA trip in May 2017. The trip required an overnight stay which was not planned due to inclement weather. After the day's events, some members of the team went out for dinner on the Naval Postgraduate School campus. After dinner, SUBJECT returned to his hotel room and (b)(6);(b)(7)(C) asked if he needed access to the communications, and SUBJECT replied "no." (b)(6);(b)(7)(C) never observed SUBJECT act inappropriately toward VICTIM. Additionally, (b)(6);(b)(7)(C) never observed SUBJECT hug, kiss, or touch anyone inappropriately. In addition to his written statement, (b)(6);(b)(7)(C) verbally provided the following information: (b)(6);(b)(7)(C)

(b)(6);(b)(7)(C);(b)(7)(E)





(b)(6);(b)(7)(C);(b)(7)(E)

(b)(6);(b)(7)(C) was with SUBJECT when he got the phone call from VICTIM stating she was suicidal. SUBJECT was concerned and began making phone calls and attempting to make positive contact with VICTIM. SUBJECT and VICTIM were not close, but VICTIM was a trusted advisor. VICTIM was very direct with SUBJECT, but not disrespectful. SUBJECT was not a "touchy-feely" type of person and SUBJECT never discussed personal relationships or his thoughts about VICTIM with (b)(6);(b)(7)(C). Additionally, VICTIM never discussed personal relationships or her thoughts about SUBJECT with (b)(6);(b)(7)(C). The team normally ended the duty day around 1700 hours, and would go out for dinner in the evening. SUBJECT typically ended his day and retired to his room around 2000 hours. (b)(6);(b)(7)(C) never went to VICTIM's room, and was uncommon for anyone on the team to go into one another's room. No one approached (b)(6);(b)(7)(C) with concerns or discussed inappropriate touching or relationships between SUBJECT and VICTIM. (b)(6);(b)(7)(C) never observed VICTIM go into SUBJECT's room.

2-41 On 30 Apr 19, SA (b)(6);(b)(7)(C) and SA (b)(6);(b)(7)(C) interviewed SA (b)(6);(b)(7)(C) at Det 204, OAFB, NE. SA (b)(6);(b)(7)(C) provided a signed, sworn statement (**Exhibit 18**), which disclosed he began working for SUBJECT in approximately February 2017. SA (b)(6);(b)(7)(C) did not witness or hear anything about SUBJECT's behavior or comments being inappropriate towards VICTIM. SUBJECT was professional, personable, and a good leader. (b)(6);(b)(7)(C) and VICTIM had a friendly professional relationship and conversed mostly about sports and food. (b)(6);(b)(7)(C) could not recall a time where VICTIM made any demeaning comments about SUBJECT, but at times she was very direct in how she spoke to SUBJECT. VICTIM was more casual in conversation and less professional than other team members, but SA (b)(6);(b)(7)(C) attributed this to VICTIM being an Army soldier. SA (b)(6);(b)(7)(C) never witnessed SUBJECT intoxicated and described SUBJECT's drinking habit as maybe having one or two drinks during happy hour or while at dinner. VICTIM would also consume alcoholic beverages in a similar manner, but SA (b)(6);(b)(7)(C) could not recall if VICTIM was ever drunk. SA (b)(6);(b)(7)(C) could not recall any instance where anyone was in SUBJECT's room alone with SUBJECT, (b)(7)(E). SA (b)(6);(b)(7)(C) was not aware of SUBJECT calling people to SUBJECT's room to work. (b)(7)(E)

(b)(7)(E)

(b)(7)(E) SUBJECT was not inappropriate in his physical interactions and would normally shake hands with people or hug those he knew well. In addition to his written statement, SA (b)(6);(b)(7)(C) verbally provided the following information:

(b)(6);(b)(7)(C);(b)(7)(E)

(b)(6);(b)(7)(C);(b)(7)(E) It was not abnormal for VICTIM to travel with SUBJECT because of her role as CAG Director. SUBJECT had an open door policy in his office and thus, VICTIM visited SUBJECT in his office frequently. SA (b)(6);(b)(7)(C) also stated his view to SUBJECT's office was typically blocked due to the layout of the room and his desk area.

2-42 On 30 Apr 19, SA (b)(6);(b)(7)(C) and SA (b)(6);(b)(7)(C) interviewed Col (b)(6);(b)(7)(C) at Det 204, OAFB, NE. Col (b)(6);(b)(7)(C) provided a signed, sworn statement (**Exhibit 19**), which disclosed she never saw SUBJECT act in an inappropriate or unprofessional manner with anyone. (b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)

(b)(6);(b)(7)(C) SUBJECT always treated VICTIM in a professional, courteous manner and Col (b)(6);(b)(7)(C) never saw





SUBJECT treat VICTIM any differently than SUBJECT treated Col (b)(6);(b)(7)(C) or any other member of his staff. Col (b)(6);(b)(7)(C) was alone with SUBJECT in SUBJECT's office on several occasions for work related issues and SUBJECT never did or said anything inappropriate to Col (b)(6);(b)(7)(C). Given the historical documentation of VICTIM's professional path since January 2018, it was clear in Col (b)(6);(b)(7)(C) mind that this allegation was a personal attack against SUBJECT because VICTIM was unable to accept accountability for VICTIM's actions. Col (b)(6);(b)(7)(C) had numerous conversations with VICTIM between February and July 2018 in reference to VICTIM's circumstances and frustration. Col (b)(6);(b)(7)(C) felt if any inappropriate behavior existed between SUBJECT and VICTIM, VICTIM would have told Col (b)(6);(b)(7)(C) during their conversations. VICTIM had a pattern of attacking the people she blamed for her demise, and when unsuccessful in achieving her desired results, VICTIM moved on to the next target. Col (b)(6);(b)(7)(C) also believed this accusation was a result of VICTIM's inability to achieve full exoneration (Agent Note: (b)(6);(b)(7)(C) verbally relayed the exoneration was in reference to VICTIM's AR 15-6 investigation) combined with SUBJECT's recent nomination to be the VCJCS. To Col (b)(6);(b)(7)(C) knowledge, there was no factual basis to VICTIM's allegations, much like all previous allegations VICTIM made since being held accountable for VICTIM's behavior. Between February and July 2018, VICTIM warned Col (b)(6);(b)(7)(C) "you better watch your back, you are next" and "they can't handle strong women." Col (b)(6);(b)(7)(C) stressed she never felt she was treated differently, unfairly, or unprofessionally as a female Colonel and that USSTRATCOM leadership was strong, consistent, professional, and supportive. In addition to her written statement, Col (b)(6);(b)(7)(C) verbally provided the following information: Col (b)(6);(b)(7)(C) never traveled with SUBJECT or the CAG team. Col (b)(6);(b)(7)(C) official interaction with VICTIM began when MGen KARBLER asked Col (b)(6);(b)(7)(C) to be VICTIM's "battle buddy" after VICTIM's AR 15-6 results were finalized and VICTIM was removed from her position. Col (b)(6);(b)(7)(C) MGen KARBLER, and SUBJECT were present in SUBJECT's office when VICTIM was delivered this news. Col (b)(6);(b)(7)(C) stated VICTIM had to be dismissed twice by MGen KARBLER and even still VICTIM refused to leave the office and tried to verbally argue with MGen KARBLER. Col (b)(6);(b)(7)(C) had to guide VICTIM out of the office. Col (b)(6);(b)(7)(C) described VICTIM as "caustic, disrespectful, and a liar." Because of VICTIM's pattern of lies, Col (b)(6);(b)(7)(C) kept records of their conversations when Col (b)(6);(b)(7)(C) was assigned to be VICTIM's battle buddy. On one occasion, VICTIM called Col (b)(6);(b)(7)(C) and commanded Col (b)(6);(b)(7)(C) call SUBJECT to reinstate VICTIM because the Army Review Board had exonerated VICTIM. Col (b)(6);(b)(7)(C) knew the Army Review Board had not exonerated VICTIM and that if she contacted SUBJECT on VICTIM's behalf, it would be breaking the No Contact Order; therefore, Col (b)(6);(b)(7)(C) documented the incident and did not contact SUBJECT. Col (b)(6);(b)(7)(C) stated VICTIM had no more access to SUBJECT than anyone else in their similar positions, but VICTIM thought she was entitled to a higher level of access to SUBJECT. Col (b)(6);(b)(7)(C) provided copies of documentation she kept in regards to being VICTIM's battle buddy (**Exhibit 20**).

2-43 On 30 Apr 19, SA (b)(6);(b)(7)(C) and SA (b)(6);(b)(7)(C) interviewed MGen KARBLER at Det 204, OAFB, NE. MGen KARBLER provided a signed, sworn statement (**Exhibit 21**), which summarized false statements made by VICTIM during a Department of the Army Inspector General (DAIG) Whistle-Blower Reprisal investigation initiated by VICTIM. VICTIM alleged MGen KARBLER took the following reprisal actions against her for making protected communications to her chain of command and IG: MGen KARBLER issued VICTIM two General Officer MFRs; removed her from her position; reassigned her; restricted her from lawfully communicating with IG. These allegations were not substantiated. To support his case, MGen KARBLER provided multiple examples where he stated the record showed VICTIM lied. One example stated on 28 Dec 16, she reported Capt (b)(6);(b)(7)(C) conduct to MGen KARBLER, and MGen KARBLER took no action. However, MGen KARBLER provided evidence that VICTIM was on leave in Wisconsin during the week of 28 Dec 16 and being that it was MGen KARBLER's first day at USSTRATCOM, he received his CAG briefing from the deputy CAG Director,





not VICTIM. MGen KARBLER denied there was a conversation wherein he asked VICTIM how she was able to get SUBJECT to do things he could not get done and that he was jealous of that. While VICTIM stated the previous statement was premised on the fact that SUBJECT was upset because VICTIM was unwilling to spend more off-duty time with SUBJECT and that MGen KARBLER did not understand what was going on between SUBJECT and VICTIM, MGen KARBLER countered that the conversation he had with VICTIM on approximately 11 Jan 18 resulted from VICTIM's insubordinate and disrespectful behavior toward SUBJECT when he briefed her that an AR 15-6 investigation was initiated against her for toxic leadership allegations. MGen KARBLER outlined this incident in an MFR, which he provided to SA (b)(6);(b)(7)(C) (Exhibit 22). MGen KARBLER took VICTIM back to his office and VICTIM sat silent for a moment, and then stated, "What do you want me to say?" MGen KARBLER stated she did not need to say anything to him, but that she owed SUBJECT an apology for her conduct. VICTIM subsequently apologized to SUBJECT. In addition to his written statement, MGen KARBLER verbally provided the following information: MGen KARBLER never witnessed an inappropriate relationship between SUBJECT and VICTIM. MGen KARBLER never witnessed any inappropriate touching between SUBJECT and anyone. VICTIM never related SUBJECT was inappropriate in any way with her.

2-44 On 30 Apr 19, SA (b)(6);(b)(7)(C) and SA (b)(6);(b)(7)(C) interviewed (b)(6);(b)(7)(C) at Det 204, OAFB, NE. (b)(6);(b)(7)(C) provided a signed, sworn statement (Exhibit 23), which disclosed (b)(6);(b)(7)(C) worked closely with SUBJECT for approximately two and a half years. During this time (b)(6);(b)(7)(C) never witnessed any inappropriate or questionable behavior nor conversation with any other females in the office. (b)(6);(b)(7)(C) believed SUBJECT's relationship with VICTIM was totally platonic and in no way sexual in nature. (b)(6);(b)(7)(C) felt VICTIM's interactions with SUBJECT, such as during the end-of-day meetings were an attempt to build a rapport with SUBJECT and convince him VICTIM was a valuable asset to SUBJECT and USSTRATCOM. (b)(6);(b)(7)(C) additionally verbally disclosed she worked with SUBJECT since approximately November 2016. (b)(6);(b)(7)(C) noted she did not feel VICTIM had an inappropriate level of access to SUBJECT at first, and it was not odd for VICTIM to be in SUBJECT's office unaccompanied. VICTIM did however appear to attempt to isolate SUBJECT from his other staff members by inserting herself into as many avenues of operation as possible. VICTIM regularly interrupted one-on-one scheduled meetings between SUBJECT and others. (b)(6);(b)(7)(C) also observed VICTIM direct (b)(6);(b)(7)(C) to involve VICTIM in all trip planning and VICTIM told (b)(6);(b)(7)(C) she would go on every trip. SUBJECT attempted to rationalize VICTIM's actions when (b)(6);(b)(7)(C) brought concerns about her behavior to his attention. (b)(6);(b)(7)(C) felt SUBJECT thought very highly of VICTIM and felt she would be an asset to the Army. VICTIM was regularly blunt and would banter with SUBJECT but at one point, SUBJECT told her, "I am tired of having an O-6 yelling at me," while she was in his office. (b)(6);(b)(7)(C) felt VICTIM was infatuated with SUBJECT because of his intellect, and VICTIM violated the no-contact order between her and SUBJECT several times. (Agent Note: AFOSI found one email VICTIM sent to SUBJECT on 27 Mar 19, which was documented in an MFR by Col (b)(6);(b)(7)(C). VICTIM stated she believed she was allowed to contact SUBJECT, as her commander, for legal matters. AFOSI found no further evidence of VICTIM violating the no-contact order.) (b)(6);(b)(7)(C) did not think VICTIM and SUBJECT had an inappropriate relationship. SUBJECT confided in (b)(6);(b)(7)(C) that he was distraught over this investigation and felt VICTIM was trying to get his attention so he could save her career. (b)(6);(b)(7)(C) had access to SUBJECT's NIPR email, and saw the communication between SUBJECT and VICTIM. (b)(6);(b)(7)(C) never noted any impropriety or any indication of an inappropriate or sexual relationship between them. SUBJECT hugged (b)(6);(b)(7)(C) on two occasions (b)(6);(b)(7)(C) noted those instances were strange (b)(6);(b)(7)(C) because SUBJECT was typically not physical with anybody. There was nothing strange or inappropriate about the hugging. SUBJECT was very





professional and was very aware of how his actions could be misinterpreted. He was therefore very conservative in his speech and behavior.

2-45 On 30 Apr 19, SA (b)(6);(b)(7)(C) and SA (b)(6);(b)(7)(C) interviewed (b)(6);(b)(7)(C) at Det 204, OAFB, NE. (b)(6);(b)(7)(C) provided a signed, sworn statement (**Exhibit 24**), which disclosed she felt the relationship between SUBJECT and VICTIM was similar to that of a father and daughter. (b)(6);(b)(7)(C) felt SUBJECT would always support VICTIM, because of the way he demanded the team to respect her during an end-of-day meeting. The relationship always appeared professional and non-sexual however. (b)(6);(b)(7)(C) did not think VICTIM would have a sexual relationship with a man, and SUBJECT never made any inappropriate gestures or comments in front of (b)(6);(b)(7)(C) has never been touched by SUBJECT inappropriately and never saw him do so to any of the other females in their office. (b)(6);(b)(7)(C) additionally verbally disclosed she worked with SUBJECT since approximately October or November 2016. VICTIM had already been working there when SUBJECT and (b)(6);(b)(7)(C) arrived at the office. SUBJECT was rarely at his office due to his frequent travel, but his relationship with (b)(6);(b)(7)(C) was that of a boss to his employee. (b)(6);(b)(7)(C) interacted with SUBJECT one-on-one and in limited situations attended closed door meeting with him alone. (b)(6);(b)(7)(C) felt she was able to comfortably go into SUBJECT's office whenever she needed to. SUBJECT had an open-door policy, and (b)(6);(b)(7)(C) sometimes saw VICTIM go into SUBJECT's office alone and shut the door. This was not odd, as SUBJECT relied very heavily on his CAG and CAG Director. VICTIM directed (b)(6);(b)(7)(C) to put VICTIM on every trip SUBJECT went on, and after one meeting, (b)(6);(b)(7)(C) (b)(6);(b)(7)(C) VICTIM was unhappy that (b)(6);(b)(7)(C) was placed in the same hotel as SUBJECT and she was not, during that trip. Current CAG directors travel with SUBJECT on most of his trips now, so the amount of travel VICTIM did with SUBJECT was not unusual. VICTIM has stated on occasion that she has "the boss's ear," and he will "listen to [her]." SUBJECT never made (b)(6);(b)(7)(C) feel uncomfortable and never saw SUBJECT physically touch others. (b)(6);(b)(7)(C) (b)(6);(b)(7)(C) SUBJECT had a lot of confidence in VICTIM's performance and frequently supported her opinions in meetings. (b)(6);(b)(7)(C) would have been surprised to hear SUBJECT had acted unprofessionally or touched anybody inappropriately since she viewed him as the epitome of professionalism.

2-46 On 30 Apr 19, SA (b)(6);(b)(7)(C) and SA (b)(6);(b)(7)(C) interviewed (b)(6);(b)(7)(C) at Det 204, OAFB, NE. (b)(6);(b)(7)(C) provided a signed, sworn statement (**Exhibit 25**), which disclosed he began working on SUBJECT's CAG on 3 Dec 16. (b)(6);(b)(7)(C) worked directly for VICTIM until she was removed from her position on 26 Feb 18. During this period, (b)(6);(b)(7)(C) never witnessed SUBJECT talk to or touch anyone in an inappropriate manner. No one reported to (b)(6);(b)(7)(C) that SUBJECT spoke to or touched them in an inappropriate manner. When SUBJECT assumed command, he told (b)(6);(b)(7)(C) he had two "red lines"; he would not tolerate anyone who disrespected people and he would not tolerate anyone who failed to tell him bad news. In addition to his written statement, (b)(6);(b)(7)(C) verbally provided the following information: (b)(6);(b)(7)(C) spent no time personally with VICTIM; their relationship was strictly work-related. VICTIM was very protective of her access to SUBJECT and made it clear she would be involved in all communications with SUBJECT. VICTIM was effective at her job, but individuals were generally afraid of VICTIM. (b)(6);(b)(7)(C) never witnessed SUBJECT touch, kiss or hug anyone. (b)(6);(b)(7)(C) believed VICTIM was a very lonely person whose life completely revolved around the job. As a result, others suffered at her expense in regards to quality of life at work, and work, personal life balance. VICTIM would often make comments about future assignments once she made Brigadier General. (b)(6);(b)(7)(C) believed VICTIM







held SUBJECT responsible for being relieved of her duty. (b)(6);(b)(7)(C)  
(b)(6);(b)(7)(C)

2-47 On 30 Apr 19, SA (b)(6);(b)(7)(C) Det 812, Barksdale AFB (BAFB), LA, telephonically interviewed Civ (b)(6);(b)(7)(C) who verbally provided the following information: (b)(6);(b)(7)(C) was willing to meet AFOSI for an interview on 1 May 19, and was aware of the investigation because (b)(6);(b)(7)(C) told (b)(6);(b)(7)(C) he "gave his name up." (b)(6);(b)(7)(C) was aware of who the investigation involved but was unaware of the details of the allegation. (b)(6);(b)(7)(C) felt an in-person interview was unnecessary because he did not think he knew any details regarding the allegation. On 1 May 19, SA (b)(6);(b)(7)(C) and SA (b)(6);(b)(7)(C) Det 812, BAFB, LA, interviewed (b)(6);(b)(7)(C) (b)(6);(b)(7)(C) verbally provided the following information: (b)(6);(b)(7)(C) was assigned to USSTRATCOM in 2016, and met VICTIM when she arrived in 2017, as the new CAG Director. VICTIM was always very mission focused, driven, respectful and focused on doing her job. (b)(6);(b)(7)(C) heard rumors of issues with VICTIM, but he never personally experienced any problems with her. (b)(6);(b)(7)(C) heard multiple complaints were filed against VICTIM for creating a toxic work environment and she was aiming to take the executive officer's job. (b)(6);(b)(7)(C) was the person who made the initial allegations against VICTIM. (b)(6);(b)(7)(C) was not very close with VICTIM and only interacted with her during work-related functions. If VICTIM ever acted unprofessionally (e.g. snapping or getting angry about the way something was done) she would immediately apologize afterwards to those involved. (b)(6);(b)(7)(C) felt close to SUBJECT (b)(6);(b)(7)(C) beginning with SUBJECT's arrival (b)(6);(b)(7)(C) SUBJECT was very friendly, cordial and always calm and collected. VICTIM and SUBJECT's relationship appeared to be pleasant and professional. VICTIM met SUBJECT's expectations, did what she was told, and was often on the same page as SUBJECT. (b)(6);(b)(7)(C) only witnessed one incident between SUBJECT and VICTIM in which VICTIM raised her voice at SUBJECT. VICTIM and SUBJECT were in SUBJECT's office and the door was open but they stood close to SUBJECT's desk so (b)(6);(b)(7)(C) could not see them. (b)(6);(b)(7)(C) heard VICTIM raise her voice while arguing with SUBJECT but he did not hear what the argument was about. (b)(6);(b)(7)(C) never witnessed or heard about any other unprofessional encounters between SUBJECT and VICTIM. (b)(6);(b)(7)(C) described the office space as being located on the second floor of the USSTRATCOM Headquarters (HQ) building. (b)(6);(b)(7)(C) provided a sketch of the office (Exhibit 26). SUBJECT and VICTIM often had private meetings behind closed doors to discuss travel and work-related matters. Both SUBJECT and VICTIM traveled approximately one to two times per week. (b)(6);(b)(7)(C) accompanied SUBJECT and VICTIM on every trip, as communication support, and (b)(6);(b)(7)(C) described VICTIM as SUBJECT's "right-hand person." (b)(6);(b)(7)(C);(b)(7)(E)

(b)(6);(b)(7)(C);(b)(7)(E)

(b)(6);(b)(7)(C);(b)(7)(E) could not recall anything particular regarding SUBJECT's and/or VICTIM's behaviors during the trip to Washington, DC from 19-23 Jun 17, or during the trip to CA from 1-3 Dec 17. (b)(7)(E)

(b)(7)(E) All meetings occurred with the team in attendance, and if SUBJECT and VICTIM needed to speak privately, they would talk outside of SUBJECT's room. Once they were finished talking, VICTIM would go to her room and SUBJECT would go to his. (b)(6);(b)(7)(C) never witnessed SUBJECT or VICTIM enter the other's rooms. (b)(6);(b)(7)(C) believed the only time VICTIM and SUBJECT would have a closed door meeting while traveling was to discuss feedback or evaluations. (b)(6);(b)(7)(C) never witnessed or heard of any inappropriate or intimate relationship between SUBJECT and VICTIM. (b)(6);(b)(7)(C) never witnessed SUBJECT and VICTIM hug or touch each other. Neither VICTIM nor SUBJECT hugged or touched any of (b)(6);(b)(7)(C) other coworkers.





(b)(6);(b)(7)(C) never witnessed SUBJECT act inappropriately with anyone. SUBJECT and VICTIM never attended events alone because either the team or (b)(6);(b)(7)(C) was present. During the investigation into the allegations made against VICTIM, the relationship between SUBJECT and VICTIM became tense. Toward the end of the investigation, (b)(6);(b)(7)(C) received an email from VICTIM written to SUBJECT in which VICTIM stated "I wish you would have listened to me and it wouldn't have come to this," and "I can't live with myself and this decision." (b)(6);(b)(7)(C) informed SUBJECT about the email and eventually AFOSI became involved. Following the investigation, VICTIM was removed from the CAG position and escorted out of the building in March 2018. (b)(6);(b)(7)(C) did not see VICTIM again after she was removed from the position, but he heard she was sent to work in Washington, DC. (b)(6);(b)(7)(C) heard rumors that VICTIM threatened SUBJECT after the investigation and the security team had to increase measures, especially when attending events VICTIM could possibly attend. (b)(6);(b)(7)(C) was unaware of the allegations of this investigation and believed it to be concerning VICTIM's creation of a toxic work environment. (b)(6);(b)(7)(C) called (b)(6);(b)(7)(C) before SA (b)(6);(b)(7)(C) and SA (b)(6);(b)(7)(C) interviewed him to inform (b)(6);(b)(7)(C) he would probably be getting a call because (b)(6);(b)(7)(C) gave up his number.

2-48 On 30 Apr 19, SA (b)(6);(b)(7)(C) Det 808, US Air Force Academy (USAFA), CO, and SA (b)(6);(b)(7)(C) (b)(6);(b)(7)(C) Det 808, USAFA, CO, interviewed Lt Col (b)(6);(b)(7)(C) 306 Operations Support Squadron, USAFA, CO. (b)(6);(b)(7)(C) provided a signed, sworn statement (Exhibit 27), which disclosed (b)(6);(b)(7)(C) was a former coworker of VICTIM and SUBJECT. Specifically, (b)(6);(b)(7)(C) worked as (b)(6);(b)(7)(C) (b)(6);(b)(7)(C) to SUBJECT and had regular interactions with both he and VICTIM while they were also assigned to USSTRATCOM. (b)(6);(b)(7)(C) was assigned as (b)(6);(b)(7)(C) to SUBJECT from 15 May 2017 until approximately 10 Jul 18. (b)(6);(b)(7)(C) worked with VICTIM until February 2018, when VICTIM was relieved of her position as SUBJECT's CAG. From May 2017 to February 2018, (b)(6);(b)(7)(C) had multiple professional interactions with both SUBJECT and VICTIM. (b)(6);(b)(7)(C) had very little interaction with either SUBJECT or VICTIM outside official settings. (b)(6);(b)(7)(C) (b)(6);(b)(7)(C) maintained no contact with VICTIM after her removal from her position, but has kept infrequent, professional contact with SUBJECT; (b)(6);(b)(7)(C) met briefly with SUBJECT (b)(6);(b)(7)(C) while SUBJECT attended the annual CORONA conference at the USAFA. (b)(6);(b)(7)(C) had more frequent contact with (b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)

(b)(6);(b)(7)(C) had somewhat frequent contact with VICTIM, but stated their communications was almost exclusively work-related. (b)(6);(b)(7)(C) could not recall having personal conversations with VICTIM (family, hobbies, etc.) and could not recall VICTIM asking about those topics to her. VICTIM appeared intimidating to coworkers and unconcerned with learning about her subordinates' lives. (b)(6);(b)(7)(C) attempted to give VICTIM informal feedback about one of her encounters with her coworkers. According to (b)(6);(b)(7)(C) VICTIM became visibly upset and chastised (b)(6);(b)(7)(C) for interrupting her. Regarding social dynamics, (b)(6);(b)(7)(C) described SUBJECT as not being one to host many social events, unless they were official (military, foreign dignitary, etc.). To (b)(6);(b)(7)(C) SUBJECT seemed to be a very intelligent and logical thinker who did not often engage in small talk or private conversations outside the occasional discussions about golf. SUBJECT held multiple meetings a day. (b)(6);(b)(7)(C) recalled VICTIM stayed after those meetings on a few occasions, but that the door was always open. (b)(6);(b)(7)(C) believed VICTIM met one-on-one with SUBJECT approximately five times per month, but believed that the majority were "stay behind meetings," in which the door to SUBJECT's office was likely open and the executive officer would likely





have line-of-sight to both individuals. (b)(6);(b)(7)(C) thought VICTIM did not seem to have any more access to SUBJECT than the rest of his staff, but that VICTIM often sought out or gave reasons why she needed to be "in on meetings," or be in close proximity to SUBJECT during meetings or when traveling. In September 2017, (b)(6);(b)(7)(C) recounted an event when VICTIM appeared upset that she was not in the same hotel as SUBJECT (b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)  
(b)(6);(b)(7)(C) In (b)(6);(b)(7)(C)

opinion, VICTIM consistently tried to be in "close proximity" to SUBJECT, whether at home station or TDY. (b)(6);(b)(7) stated she only traveled once with SUBJECT and VICTIM to the Pentagon in September 2017. (b)(6);(b)(7)(C) did not witness any inappropriate behavior between VICTIM and SUBJECT, nor any other members of the team. It was clear to (b)(6);(b)(7)(C) that SUBJECT valued VICTIM's opinion, but (b)(6);(b)(7)(C) was unclear why, since she believed VICTIM created a hostile work environment and did not provide SUBJECT with specifically valuable insight on any particular topic. (b)(6);(b)(7)(C) did not believe VICTIM had any derogatory information about SUBJECT, nor did she have unfettered or increased access to SUBJECT in any way. VICTIM was very brash in her demeanor and sometimes gave feedback/insight in an abrupt, and often inappropriate or vulgar way (cursing or threatening language). (b)(6);(b)(7)(C) did not understand why SUBJECT would tolerate this in meetings, but believed that SUBJECT had difficulty "reading social cues" or picking up on these concerns from others, due to his high intelligence and focus on strategic matters. (b)(6);(b)(7)(C) believed she and other staff members brought significant concerns about VICTIM's behavior to senior leadership's attention on multiple occasions, beginning in July 2017, but that SUBJECT tolerated it and did not discipline VICTIM in any meaningful way until her removal in February 2018. SUBJECT seemed to highly regard VICTIM's insight, but not in a way that seemed to show favoritism. (b)(6);(b)(7)(C) never witnessed inappropriate conduct between SUBJECT and VICTIM, nor with any other employee on the USSTRATCOM staff. (b)(6);(b)(7)(C) never witnessed any acts of impropriety between SUBJECT and VICTIM, nor ever witnessed SUBJECT touch anyone in an inappropriate way. (b)(6);(b)(7)(C)

(b)(6);(b)(7)(C) SUBJECT never touched or attempted to touch (b)(6);(b)(7)(C) in any way. Between December 2017 and January 2018, (b)(6);(b)(7)(C) was aware of an investigation into VICTIM's leadership, due to claims of toxicity and other concerns with her professionalism and duty performance. VICTIM was relieved of her position around mid-February 2018. In (b)(6);(b)(7)(C) opinion and experience, this is when VICTIM's behavior became even more concerning.

(b)(6);(b)(7)(C)

(b)(6);(b)(7)(C) stated that in most other MAJCOM staffs, the CAG Director does not travel with the commander, and it appeared highly unusual that VICTIM made it a point to travel with SUBJECT's team on every trip. (b)(6);(b)(7)(C) received warnings when she arrived and was assisting with trip planning that she must be sure to include VICTIM on the travel team or there may be significant repercussions. In one instance, (b)(6);(b)(7)(C) left VICTIM off a trip, due to resource and logistical constraints. She was warned by other CAG members that VICTIM would be upset. The following morning, (b)(6);(b)(7)(C) arrived to the office, to find that VICTIM was in SUBJECT's office. A few hours later, SUBJECT asked (b)(6);(b)(7)(C) to include VICTIM on the trip. (b)(6);(b)(7)(C) did not believe this was a coincidence. (b)(6);(b)(7)(C);(b)(7)(E)

(b)(6);(b)(7)(C);(b)(7)(E)

(b)(7)(E) A review of (b)(6);(b)(7)(C) sworn statement from 19 Jan 18 revealed





(b)(6);(b)(7)(C) experiences with VICTIM as unprofessional, coercive and constantly seeking to be near SUBJECT, whether in meetings or on travel, neither of which she would normally be included. In (b)(6);(b)(7)(C) experience, these personal requests to be included seldom came from SUBJECT, but mostly from VICTIM. (b)(6);(b)(7)(C) felt these actions made it appear that VICTIM was trying to position herself to for future promotion or job opportunities by doing these things. (b)(6);(b)(7)(C) felt that, since VICTIM's removal from her position, she has significant motivation to make allegations against SUBJECT for perceived injustices and damage to her career. In addition to her written statement, (b)(6);(b)(7)(C) verbally provided the following information: In approximately January 2018, the investigation in to VICTIM's leadership and behavior concerns concluded. In February 2018, VICTIM was relieved of the director role. Prior to notifying VICTIM, (b)(6);(b)(7)(C) requested the entire front office move to the cafeteria so that SUBJECT and the MGen KARBLER could deliver the news to VICTIM in private. (b)(6);(b)(7)(C) escorted the staff to the cafeteria and waited between 30-60 minutes before (b)(6);(b)(7)(C) called them to return. (b)(6);(b)(7)(C) entered SUBJECT's office at one point, due to VICTIM yelling loudly and his concern with the potential for violence against SUBJECT. VICTIM was subsequently escorted from the building and USSTRATCOM had her access restricted so she could not enter or leave the premises without a designated escort. At an unknown point after her removal, VICTIM (b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)

(b)(6);(b)(7)(C) During this period, VICTIM requested to be reinstated to her position at least once and apologized for shouting at SUBJECT, but VICTIM then agreed to retire. VICTIM retracted her willingness to retire, but (b)(6);(b)(7)(C) was unsure what occurred afterward.

2-49 On 1 May 19, SA (b)(6);(b)(7)(C) Det 613, KAB, ROK, and SA (b)(6);(b)(7)(C) Det 613, KAB, ROK, interviewed (b)(6);(b)(7)(C) at Building 911, KAB, ROK. (b)(6);(b)(7)(C) provided a signed, sworn statement (Exhibit 28), which disclosed he served as a driver on SUBJECT's PSD from approximately November 2016 to March 2018. During that timeframe, VICTIM was assigned as the CAG Director and would sometimes act as the Executive Officer to SUBJECT. (b)(6);(b)(7)(C) recalled no instances where there was any physical contact between SUBJECT and VICTIM. (b)(6);(b)(7)(C);(b)(7)(E)

(b)(7)(E)

(b)(6);(b)(7)(C);(b)(7)(E) stated due to this, an Agent would always be aware anytime SUBJECT's door opened or someone entered or exited the room. (b)(6);(b)(7)(C) was assigned to the PSD during the 23-25 Jan 17 trip to Vandenberg AFB, CA and noted nothing out of the ordinary during the trip. (b)(6);(b)(7)(C) only noticed SUBJECT exhibit an emotional response to something on one occasion when VICTIM had suicidal ideations and when he took a phone call while at an event while TDY. (b)(6);(b)(7)(C) stated SUBJECT spoke with VICTIM while at a social event on the telephone and appeared concerned by the look on his face. (b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)

(b)(6);(b)(7)(C) In addition to his written statement, (b)(6);(b)(7)(C) verbally provided the following: (b)(6);(b)(7)(C) described his relationship with VICTIM as professional and stated she would butt heads with members of





the staff or (b)(6);(b)(7)(C) described one such occasion in Washington DC in where (b)(6);(b)(7)(C) and VICTIM had to stay at a less nice hotel away from the symposium. (Agent Note: (b)(6);(b)(7)(C) stated he was unable to recall which TDY this was due to frequent travel to Washington DC). (b)(6);(b)(7)(C) stated he never spoke to VICTIM about her relationship with SUBJECT, has not had any contact with her since he left the PSD in March 2018, and VICTIM has not reached out to (b)(6);(b)(7)(C) in any form. (b)(6);(b)(7)(C) described his relationship with SUBJECT as professional and only work related during the time he worked on SUBJECT's PSD from November 2016 – March 2018. (b)(6);(b)(7)(C) has had no contact with SUBJECT since leaving the PSD and SUBJECT has not reached out to (b)(6);(b)(7)(C) in any form. (b)(6);(b)(7)(C) described the relationship between SUBJECT and VICTIM as friendly and opined SUBJECT liked working with VICTIM due to what (b)(6);(b)(7)(C) described as VICTIM appearing to be competent at her job. ARNOLD did not know of any higher level of access VICTIM had to SUBJECT (b)(6);(b)(7)(C)

(b)(6);(b)(7)(C) never witnessed any inappropriate behavior or physical contact between SUBJECT and VICTIM, between SUBJECT and any staff member, or between VICTIM and any staff member. (b)(6);(b)(7)(C) never overheard or spoke with SUBJECT or VICTIM about the other in any way that was not professional or work related. (b)(6);(b)(7)(C);(b)(7)(E)

(b)(6);(b)(7)(C);(b)(7)(E)

(b)(6);(b)(7)(C) stated the only time he recalled anyone in SUBJECT's room was his aide de camp to deliver food or prepare uniforms. (b)(6);(b)(7)(C);(b)(7)(E)

(b)(6);(b)(7)(C);(b)(7)(E)

(b)(6);(b)(7)(C);(b)(7)(E) never witnessed SUBJECT or VICTIM enter or exit either person's room while on any TDY's (b)(6);(b)(7)(C) was working, never witnessed any physical contact during any trips and did not notice any strange or odd behavior from either SUBJECT or VICTIM before, during, or following any TDY's.

2-50 On 1 May 19, SA (b)(6);(b)(7)(C) and SA (b)(6);(b)(7)(C) interviewed (b)(6);(b)(7)(C) at Det 204, OAFB, NE. (b)(6);(b)(7)(C) verbally provided the following information: (b)(6);(b)(7)(C) worked for SUBJECT from 31 Oct 17 to present. (b)(6);(b)(7)(C) worked closely with SUBJECT and VICTIM, as well as with VICTIM's staff. (b)(6);(b)(7)(C) never observed nor heard SUBJECT nor VICTIM speak ill of each other and never saw them interact in a non-professional manner. (b)(6);(b)(7)(C) was not privy to the amount of time SUBJECT and VICTIM spent together in their offices, but he noted their relationship did not appear unusual. (b)(6);(b)(7)(C) SUBJECT was not overly physical, usually shook hands with people, and has never hugged anybody in front of (b)(6);(b)(7)(C) SUBJECT did shake hands and do a half-hug with people at promotions or other ceremonies. SUBJECT never made obscene or vulgar jokes or comments, and only talked about business matters and sports with (b)(6);(b)(7)(C) never traveled with SUBJECT nor VICTIM. (b)(6);(b)(7)(C) was not aware of VICTIM attempting to influence his work to keep her in closer proximity to SUBJECT at any of the events (b)(6);(b)(7)(C) oversaw. Due to (b)(6);(b)(7)(C) limited knowledge of the SUBJECT's interactions with VICTIM, (b)(6);(b)(7)(C) was not asked to provide a written statement.

2-51 On 1 May 19, SA (b)(6);(b)(7)(C) and SA (b)(6);(b)(7)(C) Det 331, JBA, MD, interviewed Civ (b)(6);(b)(7)(C) (b)(6);(b)(7)(C) USSTRATCOM J63, OAFB, NE, at (b)(6);(b)(7)(C) (b)(6);(b)(7)(C) provided a signed, sworn statement (Exhibit 29), which disclosed he was the





(b)(6);(b)(7)(C) at USSTRATCOM from September 2011 to June 2017. (b)(6);(b)(7)(C) time at USSTRATCOM overlapped with SUBJECT and VICTIM from approximately October 2016 to June 2017. (b)(6);(b)(7)(C) never witnessed any inappropriate relationships between SUBJECT and VICTIM, or SUBJECT/VICTIM with anyone else. (b)(6);(b)(7)(C) had frequent, unfettered access to SUBJECT's hotel rooms and offices due to his job and (b)(6);(b)(7)(C) never witnessed SUBJECT and VICTIM alone together or any inappropriate behavior. In addition to his written statement, (b)(6);(b)(7)(C) verbally provided the following information: Between October 2016 and June 2017, (b)(6);(b)(7)(C) was part of a rotation of (b)(6);(b)(7)(C) that traveled with SUBJECT, and (b)(6);(b)(7)(C) went on trips every second or third rotation. (b)(6);(b)(7)(C) had a professional relationship with SUBJECT and constantly interacted with SUBJECT during trips. SUBJECT was introverted and quiet, but he had a sense of humor. SUBJECT's personality was consistent and he never acted inappropriately or out of character towards anyone. SUBJECT treated everyone the same. SUBJECT never touched or hugged anyone. (b)(6);(b)(7)(C) only had brief professional interactions, five to ten minutes per trip, with VICTIM since their jobs did not overlap. VICTIM seemed power-hungry and went on majority of trips, which seemed odd because her job did not require her to travel so frequently, as her predecessor did not travel so much. (b)(6);(b)(7)(C) recalled no inappropriate interactions at USSTRATCOM; only professional disagreements. (b)(6);(b)(7)(C) recalled no one-on-one meetings between SUBJECT and VICTIM. (b)(6);(b)(7)(C) only recalled VICTIM in SUBJECT's hotel room during team meetings. SUBJECT never went to anyone else's hotel room. (b)(6);(b)(7)(C) did not recall specifics from the 23-25 Jan 17 to CA, but stated it was a typical trip and nobody acted out of character. After June 2017, (b)(6);(b)(7)(C) left USSTRATCOM and did not interact with SUBJECT or VICTIM. (b)(6);(b)(7)(C) heard rumors that VICTIM was asked to leave USSTRATCOM because she angered people and threatened SUBJECT. After January 2019, (b)(6);(b)(7)(C) returned to USSTRATCOM, but did not interact with SUBJECT because he reported to the J6, or VICTIM because she already left.

2-52 On 1 May 19, SA (b)(6);(b)(7)(C) and SA (b)(6);(b)(7)(C) interviewed (b)(6);(b)(7)(C) at Det 204, OAFB, NE. (b)(6);(b)(7)(C) provided a signed, sworn statement (**Exhibit 30**), which disclosed he never witnessed any inappropriate activity between SUBJECT and VICTIM, nor SUBJECT and anyone. (b)(6);(b)(7)(C) never witnessed SUBJECT and VICTIM alone together; SUBJECT's meetings were always in a group setting. (b)(6);(b)(7)(C) believed SUBJECT to be an honest man above reproach. (b)(6);(b)(7)(C) believed VICTIM to be a hardworking, dedicated Army officer whom he always knew to be professional. In addition to his written statement, (b)(6);(b)(7)(C) verbally provided the following information: (b)(6);(b)(7)(C)

2-53 On 1 May 19, SA (b)(6);(b)(7)(C) and SA (b)(6);(b)(7)(C) AFOSI Det 623, Misawa AB, JA, interviewed (b)(6);(b)(7)(C) served on SUBJECT's Protective Service Detail (PSD) from August 2015 – December 2017 and her primary duty was being (b)(6);(b)(7)(C) (b)(6);(b)(7)(C) provided a signed, sworn statement (**Exhibit 31**), which disclosed she joined the PSD team in August 2015 under ADM HANEY and SUBJECT replaced him later in her tour. She considered VICTIM the most, "down to earth" officer on the travel team because she would always look after the PSD team. (b)(6);(b)(7)(C) detailed her job was to (b)(6);(b)(7)(C) She overheard several conversations (b)(6);(b)(7)(C) but she did not hear any inappropriate conversation between SUBJECT and VICTIM. (b)(6);(b)(7)(C) stated she did not witness any inappropriate actions and did not hear any rumors about SUBJECT and VICTIM acting inappropriately. She added her relationship with both SUBJECT and VICTIM was limited to work. In addition to her written statement, (b)(6);(b)(7)(C) verbally provided the following: She knew both SUBJECT and VICTIM from her time on the USSTRATCOM PSD. VICTIM would travel with the team when they went TDY. SUBJECT would call





(b)(6);(b)(7)(C) by her first name but she characterized their relationship as, “just work.” (b)(6);(b)(7)(C) stated her last contact with both SUBJECT and VICTIM was in December 2017, at her going away party. She described VICTIM as “down to earth” because she would always look after the members of the PSD to ensure they had food and rest. (b)(6);(b)(7)(C) detailed SUBJECT and VICTIM’s relationship appeared to be professional and revolved around work. VICTIM would debrief with SUBJECT after engagements and speeches in the car, over dinner, or in his office. She never witnessed any flirtation or inappropriate discussion between SUBJECT and VICTIM. (b)(6);(b)(7)(C) stated she had no indication that an unprofessional relationship existed between the two. She added that she never saw SUBJECT or VICTIM do anything inappropriate with anyone on the PSD or SUBJECT’s front office. She also had not heard any rumors to that effect. (b)(6);(b)(7)(C) described touching between SUBJECT and VICTIM as being limited to the shoulder or arm. (b)(6);(b)(7)(C) denied SUBJECT ever touched her in an inappropriate manner. (b)(6);(b)(7)(C) remembered during the California trip in late 2017 that VICTIM appeared to stand off from the group and did not engage in the typical conversations with the PSD team (Agent Note: this was the 1-3 Dec 17 TDY to Simi Valley, CA; ref **Exhibit 51**). Typically, VICTIM would walk with SUBJECT’s entourage but on this trip she stood away from the group. (b)(6);(b)(7)(C) stated she did not know why. She recalled someone made the remark that VICTIM was being, “bitchy” but she did not remember who said it. SUBJECT appeared to act like his normal self and she was unaware of any incident taking place between SUBJECT and VICTIM during the trip. (b)(6);(b)(7)(C) knew during trips VICTIM would go to SUBJECT’s room to work on speeches, but she was never posted on SUBJECT’s hotel room door and did not watch surveillance cameras during this trip. (b)(6);(b)(7)(C) added SUBJECT never requested her to come to his hotel room and did not make any inappropriate comments about her, VICTIM, or anyone else on the team.

2-54 On 1 May 19, SA (b)(6);(b)(7)(C) Det 421, Luke AFB (LAFB), AZ, interviewed (b)(6);(b)(7)(C) at Det 421, LAFB, AZ. (b)(6);(b)(7)(C) provided a signed, sworn statement (**Exhibit 32**), which disclosed he started working at USSTRATCOM in June 2016 and was slated to be in the position until June 2019. (b)(6);(b)(7)(C) met VICTIM upon his arrival at USSTRATCOM and worked with her on a very frequent basis until her departure from the CAG Director position in early 2018. (b)(6);(b)(7)(C) met SUBJECT upon SUBJECT’s arrival as the Commander in November 2016. (b)(6);(b)(7)(C) worked with SUBJECT very frequently as (b)(6);(b)(7)(C) and as a close advisor. (b)(6);(b)(7)(C) described his role as a personal advisor was similar to that of VICTIM’s in that they worked on a routine, frequent basis with SUBJECT as it was required in their jobs as “trusted counsel”. (b)(6);(b)(7)(C) relayed his level of access to SUBJECT was the same as VICTIM’s and both were the same level of access given to the current CAG Director. (b)(6);(b)(7)(C) further stated, due to all of their roles, they all had open access to SUBJECT and maintained direct lines of communication with him. (b)(6);(b)(7)(C) never witnessed any inappropriate behavior on the part of either SUBJECT or VICTIM in their frequent interactions. (b)(6);(b)(7)(C) described them as “friendly, cordial, professional, and appropriately personal with candor and jokes shared based on the close bond built between a senior official and his close trusted agents.” (b)(6);(b)(7)(C) stated he never saw any physical contact between SUBJECT and VICTIM that could have been construed as inappropriate. (b)(6);(b)(7)(C) described SUBJECT as the “utmost professional.” In reference to the specific TDYs of June and December 2017, (b)(6);(b)(7)(C) recalled visiting Washington DC in June 2017 and California for the trip in December 2017. (b)(6);(b)(7)(C) did not recall witnessing any unusual behavior from SUBJECT or VICTIM and relayed he had been in close proximity to SUBJECT for most of both trips. Finally, (b)(6);(b)(7)(C) added, when VICTIM was released/removed from her position as CAG Director subsequent to the IG investigation, she was heard by several staff members saying something to the effect of “they’d be sorry” and that “this wasn’t the end of it.” (b)(6);(b)(7)(C) did not personally hear these statements being made but stated other members of the staff had confided in him and told him what they had heard. In addition to





his written statement, (b)(6);(b)(7)(C) verbally provided the following information: (b)(6);(b)(7)(C) and VICTIM were part of SUBJECT's close advisors. (b)(6);(b)(7)(C) relayed his relationship with VICTIM was purely professional with occasional small talk about personal matters. In comparison, (b)(6);(b)(7)(C) relayed he had more conversations with SUBJECT about personal matters. (b)(6);(b)(7)(C) relayed VICTIM had a "rough personality" and had created a toxic/hostile work environment for her subordinates, which had resulted in an IG investigation. (b)(6);(b)(7)(C) stated SUBJECT knew nothing about the work environment VICTIM had created as he never saw her behaviors towards her subordinates. (b)(6);(b)(7)(C) relayed he saw the environment that VICTIM had created but never brought it up to SUBJECT. (b)(6);(b)(7)(C) described VICTIM and SUBJECT's relationship as "cordial and friendly". (b)(6);(b)(7)(C) stated VICTIM was often described as a "wise-ass" as she was often sarcastic or candid in what she told SUBJECT. (b)(6);(b)(7)(C) relayed SUBJECT appreciated VICTIM's candor and (b)(6);(b)(7)(C) noted VICTIM was extremely good at her job, minus the treatment of her subordinates. (b)(6);(b)(7)(C) stated VICTIM and SUBJECT spent time alone in private office meetings but it was as often as (b)(6);(b)(7)(C) or other advisors would spend time alone with SUBJECT. (b)(6);(b)(7)(C) emphasized this was not uncommon or abnormal. (b)(6);(b)(7)(C) did not notice any acts of impropriety between SUBJECT and VICTIM. (b)(6);(b)(7)(C) described SUBJECT as a caring individual who took great care of his people. (b)(6);(b)(7)(C) did not notice any physical contact between SUBJECT and VICTIM out of the ordinary. (b)(6);(b)(7)(C) stated SUBJECT was "big on handshakes" and occasionally would give pats on the back to his team members. (b)(6);(b)(7)(C) relayed this physical contact was uniform across the board and he never witnessed SUBJECT engage in other types of physical contact with VICTIM. During the June and December 2017 TDYs, (b)(6);(b)(7)(C) did not notice SUBJECT ever enter VICTIM's hotel room. (b)(6);(b)(7)(C) stated it was commonplace for the team to go to SUBJECT's room as they all frequently convened in SUBJECT's room at the end of the day to share any last-minute notes. (b)(6);(b)(7)(C) noted, due to this fact, it was not abnormal for VICTIM to enter SUBJECT's room but also did not notice any "inappropriate" room entries by VICTIM into SUBJECT's room. (b)(6);(b)(7)(C)

(b)(6);(b)(7)(C);(b)(7)(E)

(b)(6);(b)(7)(C);(b)(7)(E)

When asked how their offices were arranged, (b)(6);(b)(7)(C) described SUBJECT had an office in the command suite and his executive officer, NFI, and secretary, NFI, sat directly outside his office. (b)(6);(b)(7)(C) further described that (b)(6);(b)(7)(C) the Deputy Executive Officer, NFI, the aide, NFI, and Deputy USSTRATCOM Commander and team sat on the other side of the command suite. (b)(6);(b)(7)(C) stated his office was directly below SUBJECT's office on the first floor and VICTIM's office was located outside of the command suite, down the hall and around the corner. (b)(6);(b)(7)(C) did not provide any additional details about office arrangements. Furthermore, (b)(6);(b)(7)(C) stated SUBJECT and VICTIM spoke cordially about each other when the other was not present. (b)(6);(b)(7)(C) said he never heard anything other than professional-type comments about either person from both of them. However, (b)(6);(b)(7)(C) stated the atmosphere in the office changed significantly after the IG investigation started and VICTIM was released from her position. (b)(6);(b)(7)(C) recalled VICTIM kept trying to get SUBJECT alone to "talk things out" and (b)(6);(b)(7)(C) thought this was incorrect behavior on VICTIM's part but also understandable as VICTIM may have wanted to make her side of things clear to SUBJECT. (b)(6);(b)(7)(C) described that, over time, the office had to be secured in a different manner as VICTIM's behavior became almost "stalker"-like. (b)(6);(b)(7)(C) recalled SUBJECT was provided additional security as SUBJECT indicated he wanted to "separate himself from the matters of the investigation." SUBJECT did not talk about VICTIM after these events ended but (b)(6);(b)(7)(C) recalled SUBJECT expressed regret towards the situation as SUBJECT had not seen how VICTIM had "treated her people." At the onset of the interview, (b)(6);(b)(7)(C) did not know why AFOSI was investigating the







matters between SUBJECT and VICTIM and thought SA (b)(6);(b)(7)(C) was merely following up on the IG investigation. SA (b)(6);(b)(7)(C) informed (b)(6);(b)(7)(C) the AFOSI investigation involved an allegation of abusive sexual contact and (b)(6);(b)(7)(C) stated he never saw any indication of sexual or inappropriate contact between VICTIM and SUBJECT. (b)(6);(b)(7)(C) further relayed, when VICTIM was being walked out of the office after having been officially released from her position, several CAG staff members heard VICTIM say something to the effect of “this isn’t over” and “people will pay.” (b)(6);(b)(7)(C) opined he was not surprised to hear about these statements made by VICTIM as these were “fitting to her personality” as he had known VICTIM to not “let things go if they didn’t go her way.” (b)(6);(b)(7)(C) also recalled he had had a conversation about VICTIM a long time before the IG investigation where VICTIM disclosed to (b)(6);(b)(7)(C) that she had some form of mental health-related disorder such as a personality disorder or Post Traumatic Stress Disorder (PTSD) but (b)(6);(b)(7)(C) could not recall which. (b)(6);(b)(7)(C) had never asked for additional details as he did not think this was relevant until he heard about the comments VICTIM had made on her way out. (b)(6);(b)(7)(C) did not remember who specifically had told him about VICTIM’s statements but said the following people could have additional details as they were members of the CAG and would have been present as VICTIM was being walked out: (b)(6);(b)(7)(C)

2-55 On 1 May 19, SA (b)(6);(b)(7)(C) conducted a DPS check for names provided by (b)(6);(b)(7)(C) which no information for (b)(6);(b)(7)(C)

2-56 On 1 May 19, SA (b)(6);(b)(7)(C) Det 303, Travis AFB (TAFB), CA, conducted a video teleconference (VTC) with SSgt (Reserve) (b)(6);(b)(7)(C) Individual Mobilization Augmentee (IMA), Field Investigations Region (FIR) 8, Peterson AFB, CO, via Apple FaceTime software. (b)(6);(b)(7)(C) verbally provided the following information: In January 2017, (b)(6);(b)(7)(C) conducted a PSO in support of SUBJECT. (b)(6);(b)(7)(C) could not recall the specific date but remembered he worked with SA (b)(6);(b)(7)(C) Det 303, TAFB, CA. The PSO began at Moffett Federal Airfield, CA, on the National Aeronautics and Space Administration (NASA) side of the runway/airfield due to the great amount of privacy. (b)(6);(b)(7)(C) was the Advance/Chase vehicle during the course of the PSO provided transportation for VICTIM, along with other members of SUBJECT’s staff, whom (b)(6);(b)(7)(C) could not recall. (b)(6);(b)(7)(C) and (b)(6);(b)(7)(C) waited for the aircraft to arrive and when it parked on the ramp they drove plane side to pick up their respective parties. SA (b)(6);(b)(7)(C) was tasked to drive SUBJECT. SA (b)(6);(b)(7)(C) was the first person off the plane and introduced himself to (b)(6);(b)(7)(C) and SA (b)(6);(b)(7)(C) SUBJECT’s staff offloaded luggage to the respective vehicles. (b)(6);(b)(7)(C) did not recall who drove in his vehicle but remembered it was at least VICTIM and the Communications Officer who arrived the previous evening and had setup a SIPR terminal in (b)(6);(b)(7)(C) vehicle. Once SUBJECT was ready to go, (b)(6);(b)(7)(C) and SA (b)(6);(b)(7)(C) drove to the hotel (Sheraton) in Palo Alto, CA in a motorcade (all together). The drive was approximately 15 minutes. (b)(6);(b)(7)(C) did not recall the extent of the conversation in the vehicle with VICTIM but related it was likely “hello, how are you, welcome to California.” (b)(6);(b)(7)(C) did not recall any personal conversation VICTIM may have had in the car. At the Sheraton, (b)(6);(b)(7)(C) and SA (b)(6);(b)(7)(C) drove to the main entrance and parked while SUBJECT, VICTIM and all the other staff members exited to the hotel and then the cars were parked. SA (b)(6);(b)(7)(C) met with (b)(6);(b)(7)(C) and SA (b)(6);(b)(7)(C) to briefly discuss the next day’s events and (b)(6);(b)(7)(C) and SA (b)(6);(b)(7)(C) retired to their hotel rooms for the rest of the evening. The following morning, the motorcade transported SUBJECT and VICTIM to Stanford University. (b)(6);(b)(7)(C) took VICTIM along with other staff members he could not remember. SA (b)(6);(b)(7)(C) drove SUBJECT. (b)(6);(b)(7)(C) did not recall any conversation in the vehicle with VICTIM due to the extremely short ride to Stanford University, described as being “right around the corner.” Upon arriving, SUBJECT was met by a University representative whom (b)(6);(b)(7)(C) could not recall. The rep escorted the party to the conference center for





breakfast. (b)(6);(b)(7)(C) was met by an unknown law enforcement officer, who showed him where to park. (b)(6);(b)(7)(C) did not recall any contact between SUBJECT and VICTIM on either day he drove and did not see any unusual between the two. (b)(6);(b)(7)(C) only observed SUBJECT briefly during the day as he transitioned from one meeting/speech to another. At no time did he see VICTIM and SUBJECT interact with each other. At the end of the day's events, (b)(6);(b)(7)(C) and (b)(6);(b)(7)(C) drove their respective parties back to Moffett Federal Airfield where they immediately boarded their aircraft and left. (b)(6);(b)(7)(C) did not have a relationship with SUBJECT at all, as this was the first time he met SUBJECT. (b)(6);(b)(7)(C) was not in contact with SUBJECT or VICTIM and did not have a relationship with VICTIM. (b)(6);(b)(7)(C) met VICTIM when she entered his vehicle and they briefly spoke to each other. (b)(6);(b)(7)(C) was not in contact with VICTIM. (b)(6);(b)(7)(C) has never worked at USSTRATCOM and has never worked with SUBJECT or VICTIM. (b)(6);(b)(7)(C) did not observe any interaction between SUBJECT and VICTIM and could not ascertain what kind of relationship they had. (b)(6);(b)(7)(C) had no indications of improprieties between the two and did not see either act inappropriately towards other co-workers. At the conclusion of the PSO, SUBJECT shook (b)(6);(b)(7)(C) hand and provided him a challenge coin. (b)(6);(b)(7)(C) did not have contact with VICTIM. (b)(6);(b)(7)(C) did not recall seeing SUBJECT and VICTIM converse during the PSO. (b)(6);(b)(7)(C) did not recall the hotel arrangements for SUBJECT and VICTIM and did not know if "people" were required to be closer to SUBJECT than others. SUBJECT and VICTIM's visit to Stanford University was the only time (b)(6);(b)(7)(C) had seen/met/interacted/conversed, with SUBJECT or VICTIM. (b)(6);(b)(7)(C) did not know if VICTIM had a higher level of access to SUBJECT than anyone else in the party. (b)(6);(b)(7)(C) never observed SUBJECT/VICTIM at all once he entered his room at the Sheraton.

2-57 On 2 May 19, SA (b)(6);(b)(7)(C) interviewed RDML SPENCER at Navy Gateway Inn & Suites, Suite 105, Naval Support Activity (NSA) Midsouth, Millington, TN. RDML SPENCER provided a signed, sworn statement (**Exhibit 33**), which disclosed he went on a TDY with SUBJECT and VICTIM to Palo Alto, CA in January 2017. No one approached RDML SPENCER about allegations of improper contact, nor did RDML SPENCER observe anything remarkable from this TDY. RDML SPENCER described SUBJECT's personal and professional behavior as "beyond reproach" and related he worked side-by-side with SUBJECT for approximately two years and never heard him say anything "off color" or of a sexual nature. In addition to his written statement, RDML SPENCER verbally provided the following information: RDML SPENCER worked at USSTRATCOM as SUBJECT's Executive Officer (XO) from July 2016 to July 2018. During this period, VICTIM worked as the CAG Director. While some commanders traveled with their XO, SUBJECT chose to have the CAG Director, specifically VICTIM, travel with him. RDML SPENCER was comfortable with these arrangements, as he had plenty of work to do. RDML SPENCER never "bullied" VICTIM. RDML SPENCER never witnessed any contact between SUBJECT and VICTIM or SUBJECT with anyone else. During the January 2017 Palo Alto, CA trip, RDML SPENCER recalled staying at an off-base hotel, but could not recall specifics from the trip, other than it was unremarkable. RDML SPENCER felt all the females in the office were comfortable with him and that if anything inappropriate occurred, they would be okay with approaching him to discuss.

2-58 On 2 May 19, SA (b)(6);(b)(7)(C) and SA (b)(6);(b)(7)(C) Det 201, Joint Base Langley-Eustis (JBLE), VA, interviewed PO1 (b)(6);(b)(7)(C) Norfolk Naval Shipyard Security Detachment, Virginia Beach, VA, at AFOSI Detachment 201, who provided a signed, sworn statement (**Exhibit 34**), relaying the following information: (b)(6);(b)(7)(C) worked for SUBJECT from approximately November 2016 until April 2018. SUBJECT was approachable and friendly. (b)(6);(b)(7)(C) did not recall SUBJECT acting inappropriately with any of his staff, members of his security detail, or VICTIM. SUBJECT's and VICTIM's relationship seemed to be professional. (b)(6);(b)(7)(C) never saw or knew of SUBJECT and VICTIM





being alone in hotels where the team stayed. During a trip to Yale University, New Haven, CT, on which VICTIM was not present, SUBJECT's Aide, Maj (b)(6);(b)(7)(C) Air Force Legislative Fellow, Washington DC, relayed to (b)(6);(b)(7)(C) that VICTIM disappeared and made suicidal ideations (Agent Note: (b)(6);(b)(7)(C) did not provide a date of the Yale trip within his written statement). During the Yale trip VICTIM called SUBJECT's phone and SUBJECT spoke with her in an attempt to calm her down. In addition to his written statement, (b)(6);(b)(7)(C) verbally relayed the following information: In November 2016, (b)(6);(b)(7)(C) met SUBJECT when he began working at USSTRATCOM on SUBJECT's protective security detail. (b)(6);(b)(7)(C) and SUBJECT maintained a strictly professional relationship. (b)(6);(b)(7)(C) and SUBJECT did not have contact since (b)(6);(b)(7)(C) departed SUBJECT's detail in April 2018. SUBJECT was a reserved individual who often appeared to be deep in thought. (b)(6);(b)(7)(C) knew and worked with VICTIM from January 2017 until approximately February 2018. (b)(6);(b)(7)(C) did not have contact with VICTIM after February 2018. (b)(6);(b)(7)(C) and VICTIM maintained a strictly professional relationship. (b)(6);(b)(7)(C) relayed that VICTIM often forced her way onto trips with SUBJECT's detail. VICTIM took the place of SUBJECT's Executive Assistant, since that individual did not have a preference of whether or not he went on a trip (Agent Note: (b)(6);(b)(7)(C) did not recall the Executive Assistant's identifying information.) VICTIM had an Inspector General complaint against her regarding her treatment of others. The IG complaint was around the same time as the Yale trip, which was from 22 Feb 18 to 28 Feb 18. During the Yale trip, (b)(6);(b)(7)(C) heard from (b)(6);(b)(7)(C) that VICTIM disappeared and claimed she was going to kill herself. SA (b)(6);(b)(7)(C) AFOSI Det 204, Offutt AFB, NE, and TSgt (b)(6);(b)(7)(C) 8 Security Forces Squadron, Kunsan AB, Republic of Korea, were also present to hear what (b)(6);(b)(7)(C) relayed. SUBJECT and VICTIM were around each other a lot because of work-related matters. They were friendly and professional with each other. When they were around each other, they spoke about work or had casual conversation about (b)(6);(b)(7)(C) When separate, SUBJECT and VICTIM only spoke of each other in a professional manner. SUBJECT treated VICTIM differently in the sense that he was more forgiving toward her for being late to convoy movements and departure times. (b)(6);(b)(7)(C) mentioned SUBJECT was forgiving toward VICTIM because of the IG complaint against her and her attitude, but did not recall specific examples. (b)(6);(b)(7)(C) was not present for staff meetings and never saw inappropriate interactions between SUBJECT and VICTIM. (b)(6);(b)(7)(C) did not recall any inappropriate interactions between SUBJECT and VICTIM at any point while he worked for SUBJECT. SUBJECT shook hands and occasionally patted shoulders of those on his security detail. (b)(6);(b)(7)(C) did not recall any other physical contact that SUBJECT made with him, the security detail, or SUBJECT's staff. (b)(6);(b)(7)(C) did not recall any physical contact ever occurring between SUBJECT and VICTIM. (b)(6);(b)(7)(C) never observed SUBJECT or VICTIM enter or exit each other's rooms. (b)(6);(b)(7)(C) advised that the security details team lead would have known if and when SUBJECT left his room. (b)(6);(b)(7)(C) stated that from 19-23 June 2017, VICTIM "threw a fit" because the majority of SUBJECT's security detail had to stay in a separate hotel that was not as nice as SUBJECT's. VICTIM was also in the separate hotel. (b)(6);(b)(7)(C) did not know exactly why, but he believed that VICTIM used the security detail being in a separate hotel as an excuse for her to try and be in SUBJECT's hotel as well. (b)(6);(b)(7)(C) said it could have been because SUBJECT's hotel was much nicer (Agent Note: (b)(6);(b)(7)(C) did not have additional details about the trip).

2-59 On 1 May 19, SA (b)(6);(b)(7)(C) Det 113, Hill AFB (HAFB), UT, interviewed USMC SSgt (b)(6);(b)(7)(C) Defense Information Systems Agency (DISA), HAFB, UT, at Det 113, HAFB, UT. (b)(6);(b)(7)(C) was a communications officer for SUBJECT while stationed with him. (b)(6);(b)(7)(C) provided a signed, sworn statement (**Exhibit 35**) and verbally provided the following information: (b)(6);(b)(7)(C) worked at the USSTRATCOM, OAFB, NE, from March 2015 to July 2018. (b)(6);(b)(7)(C) worked for SUBJECT from the time SUBJECT was appointed to USSTRATCOM in September 2016 to July 2018 when (b)(6);(b)(7)(C) departed. (b)(6);(b)(7)(C) did not recall working with VICTIM until





SUBJECT was appointed, however, (b)(6);(b)(7)(C) was not sure exactly when VICTIM began working with USSTRATCOM. (b)(6);(b)(7)(C) did not have a personal relationship with neither SUBJECT nor VICTIM and interacted with them minimally on a professional level. (b)(6);(b)(7)(C) was not in contact with SUBJECT or VICTIM since leaving USSTRATCOM. (b)(6);(b)(7)(C) described SUBJECT and VICTIM's relationship as professional and never observed any unprofessional or personal relationship between SUBJECT and VICTIM. Neither SUBJECT nor VICTIM ever touched staff members in an unprofessional or inappropriate manner at any time, home-station or abroad. (b)(6);(b)(7)(C) never heard SUBJECT or VICTIM talk negatively about each other. VICTIM would check e-mails and state whether SUBJECT would want to see them or not, but that was the extent of the conversations with (b)(6);(b)(7)(C) (b)(6);(b)(7)(C) provided a sketch of the USSTRATCOM offices (Exhibit 36) and relayed that he did not know if SUBJECT or VICTIM had private meetings within SUBJECT's office. (b)(6);(b)(7)(C)

(b)(6);(b)(7)(C);(b)(7)(E)

(b)(6);(b)(7)(C);(b)(7)(E) never witnessed SUBJECT or VICTIM going into one another's room and did not know where VICTIM's room was located while TDY. During trips to California (23-25 Jan 17/1-3 Dec 17) and Washington DC (19-23 Jun 17), (b)(6);(b)(7)(C) did not notice any behavior changes in SUBJECT nor VICTIM. (b)(6);(b)(7)(C) clarified that he did not have a relationship with SUBJECT or VICTIM, nor spent any time with SUBJECT or VICTIM outside an official capacity where he would notice or pay attention to behavioral changes. (b)(6);(b)(7)(C) further stated that he did not notice any sexual tensions between SUBJECT and VICTIM.

2-60 On 2 May 19, SA (b)(6);(b)(7)(C) and SA (b)(6);(b)(7)(C) Det 303, TAFB, CA interviewed SA (Ret) (b)(6);(b)(7)(C) at AFOSI Det 303, TAFB, CA. (b)(6);(b)(7)(C) verbally provided the following information: In January 2017, (b)(6);(b)(7)(C) supported a PSO of SUBJECT. (b)(6);(b)(7)(C) (b)(6);(b)(7)(C) that transported SUBJECT and select members of his staff including the PSA (b)(6);(b)(7)(C) did not recall the names of the staff or the PSA. (b)(6);(b)(7)(C) recalled picking up SUBJECT at Moffett Federal Airfield, CA and taking him to a hotel (Sheraton) Palo Alto, CA and Stanford University, Palo Alto, CA. (b)(6);(b)(7)(C) recalled pulling up planeside, opening all the doors to his vehicle, briefly being introduced to (b)(6);(b)(7)(C) and then waiting for SUBJECT's luggage/belongings to be loaded. (b)(6);(b)(7)(C) recalled SUBJECT entering his vehicle and other personnel but he did not recall who. (b)(6);(b)(7)(C) did not recall if there were any female members of the party as his responsibility was for SUBJECT. While at the plane, (b)(6);(b)(7)(C) did not see anything that stood out as out of the ordinary. He did not recall if SUBJECT was in uniform. SUBJECT was not very talkative. (b)(6);(b)(7)(C) drove SUBJECT to the Sheraton which was relatively close to the airport. (b)(6);(b)(7)(C) remembered he had to pay for the parking at the hotel but that was the only significant event he could recall for the first day of the PSO. He met (b)(6);(b)(7)(C) in the lobby after he parked his car. (b)(6);(b)(7)(C) and (b)(6);(b)(7)(C) had a quick meeting in the lobby to discuss what was going to happen the next day. After the meeting, (b)(6);(b)(7)(C) and (b)(6);(b)(7)(C) went to their respective rooms. (b)(6);(b)(7)(C) recalled his room was on the opposite side of the hotel as SUBJECT and could not see what was going on near/at SUBJECT's room. (b)(6);(b)(7)(C) did not know what room SUBJECT had. The next morning, (b)(6);(b)(7)(C) drove SUBJECT directly to Stanford University, where SUBJECT had breakfast with other visiting distinguished visitors who (b)(6);(b)(7)(C) could not recall. While at Stanford, (b)(6);(b)(7)(C) was tasked to cover a particular entrance/exit where SUBJECT was giving speeches and being provided presentations. The conference room where SUBJECT was at did not allow for great visibility to SUBJECT or the guests. (b)(6);(b)(7)(C) did not attend any of the speeches or presentations as he was posted to a particular location. During the limited contact/visual (b)(6);(b)(7)(C) had of SUBJECT,





(b)(6);(b)(7)(C) did not witness any inappropriate behavior. SUBJECT shook hands with several people. When the events concluded, (b)(6);(b)(7)(C) took SUBJECT back to Moffett Federal Airfield. SUBJECT shook (b)(6);(b)(7)(C) hand and provided him a challenge coin. SUBJECT boarded a plane and left the area. (b)(6);(b)(7)(C) did not recall any conversations SUBJECT may have had in the vehicle while (b)(6);(b)(7)(C) was driving. (b)(6);(b)(7)(C) did not have any relationship with SUBJECT, did not maintain contact with SUBJECT, never worked at USSTRATCOM, never worked for SUBJECT, never witnessed any improprieties or witness SUBJECT act strangely or provide preferential treatment to anyone. (b)(6);(b)(7)(C) did not know VICTIM and was not sure there was a female with SUBJECT's party as he deplaned Moffett Federal Airfield to go the hotel in Palo Alto.

2-61 On 2 May 19, SA (b)(6);(b)(7)(C) and SA (b)(6);(b)(7)(C) Det 802, Patrick AFB (PAFB), FL, interviewed (b)(6);(b)(7)(C)

(b)(6);(b)(7)(C) provided a signed, sworn statement (**Exhibit 37**) and verbally provided the following information: Between March 2017 and June 2017, (b)(6);(b)(7)(C) was (b)(6);(b)(7)(C) on the USSTRATCOM CAG for SUBJECT. After leaving the CAG in June 2017, VICTIM no longer kept in contact with SUBJECT. (b)(6);(b)(7)(C) met VICTIM in the early months of 2018. VICTIM was the Director of the CAG. VICTIM's role was to facilitate SUBJECT's daily meetings and briefings, schedule every facet of SUBJECT's trips, and to deliver information packages to SUBJECT. (b)(6);(b)(7)(C) described VICTIM as SUBJECT's "shadow." Wherever SUBJECT went, VICTIM went. (b)(6);(b)(7)(C) was never alone with SUBJECT; VICTIM was always there as well. VICTIM made it clear that any communication to SUBJECT needed to go through her first. (b)(6);(b)(7)(C) recalled a time VICTIM became argumentative with SUBJECT's protective service detail because they did not have SUBJECT and VICTIM's rooms close together and did not have SUBJECT and VICTIM in the same car. VICTIM was ultimately relieved of her position after an investigation found she had created a toxic work environment. (b)(6);(b)(7)(C) was no longer in contact with VICTIM after her dismissal. (b)(6);(b)(7)(C) described interactions between VICTIM and SUBJECT as professional in nature. SUBJECT was a highly professional person and was a mentor to younger officers. VICTIM and SUBJECT's relationship was one in which VICTIM felt able to give her opinion and could tactfully disagree with SUBJECT's plan or outlook on a specific topic. (b)(6);(b)(7)(C) recalled a verbal altercation between VICTIM and another member, possibly SUBJECT, in the USSTRATCOM offices after she was relieved of command. VICTIM was escorted out of the USSTRATCOM offices by security. (b)(6);(b)(7)(C) had no knowledge of any unprofessional relationship between VICTIM and SUBJECT. There were no indications that (b)(6);(b)(7)(C) could recall that would suggest otherwise. SUBJECT never acted inappropriately towards any individual and displayed no physical contact towards others other than rare pats on the back. SUBJECT acted "extraordinarily professional at all times." VICTIM also acted professionally but would occasionally make a derogatory comment about previous CAG members who were no longer on the CAG. (b)(6);(b)(7)(C) recalled one specific time in which VICTIM made a comment to the entire CAG about how when she was an enlisted troop she and other enlisted members had a game to see who could sleep with officers. It was not normal for VICTIM and SUBJECT to have one-on-one meetings during travel. There were usually multiple individuals in those meetings. (b)(6);(b)(7)(C)

(b)(6);(b)(7)(C) was asked about the TDY to Monterrey, CA in May 2017. (b)(6);(b)(7)(C) recalled the TDY was supposed to be an out and back trip but changed to an overnight trip after the team missed their flight time to return. Instead, all members of the team stayed at a Marriott hotel down the street. (b)(6);(b)(7)(C) did not recall anything that stood out about the TDY other than no one packing for a two-day trip. At the end of night, after the team ate dinner together,





(b)(6);(b)(7)(C) VICTIM, (b)(6);(b)(7)(C) and CMSgt (b)(6);(b)(7)(C) had a drink at the hotel bar. The group discussed sports and their personal lives. (b)(6);(b)(7)(C) recalled the group departing the bar normally. He did not recall VICTIM leaving early to go speak with SUBJECT. (b)(6);(b)(7)(C) did not recall any behavioral issues by SUBJECT or VICTIM, nor any issues of physical contact between SUBJECT and any other individual. (b)(6);(b)(7)(C) did not recall ever seeing SUBJECT or VICTIM come out of the other person's hotel room. It was (b)(6);(b)(7)(C) first TDY with SUBJECT and VICTIM. (b)(6);(b)(7)(C) opined that VICTIM did have more access to SUBJECT than previous CAG directors. (b)(6);(b)(7)(C) believed it was because VICTIM used her role to have more say and access to SUBJECT, not that SUBJECT had increased any of VICTIM's responsibilities. (b)(6);(b)(7)(C) provided a layout of the USSTRATCOM offices including VICTIM and SUBJECT's offices (**Exhibit 53**).

2-62 On 3 May 19, SA (b)(6);(b)(7)(C) and SA (b)(6);(b)(7)(C) interviewed (b)(6);(b)(7)(C) at 1413 Arkansas Road, JBA, MD. (b)(6);(b)(7)(C) provided a signed, sworn statement (**Exhibit 38**), which disclosed he never witnessed SUBJECT acting in an inappropriate or unprofessional manner with VICTIM. As (b)(6);(b)(7)(C) (b)(6);(b)(7)(C) did not witness any person (b)(6);(b)(7)(C) in SUBJECT's hotel room (Agent Note: (b)(6);(b)(7)(C) verbally stated he regularly delivered documents to SUBJECT's hotel room). SUBJECT rarely had one-on-one meetings, but when he did, it was within his office with members of his staff for professional matters. In addition to his written statement, (b)(6);(b)(7)(C) verbally provided the following information: In June 2017, (b)(6);(b)(7)(C) began working at USSTRATCOM. In Spring 2018, VICTIM was removed from her position. In May 2018, (b)(6);(b)(7)(C) departed USSTRATCOM. While at USSTRATCOM, (b)(6);(b)(7)(C) interacted with SUBJECT on a daily basis and described the interactions as pleasant, cordial, and professional. (b)(6);(b)(7)(C) only witnessed SUBJECT shake handshakes with individuals and SUBJECT never said or did anything questionable. When (b)(6);(b)(7)(C) interacted with SUBJECT unannounced, he never saw SUBJECT acting inappropriately. (b)(6);(b)(7)(C) related it was difficult working with VICTIM. VICTIM created a toxic work environment and inappropriately managed the CAG. For example, VICTIM held CAG jobs ransom, enforced bad hours, and tried to remove CAG civilian employees so she could have more military control. It was difficult to convince SUBJECT that VICTIM was mismanaging. (b)(6);(b)(7)(C) personally talked to SUBJECT twice about VICTIM's mismanagement and showed SUBJECT that VICTIM (b)(6);(b)(7)(C) SUBJECT told (b)(6);(b)(7)(C) that VICTIM was "rough" because she was in the Army, and it's beneficial to get different opinions and perspectives. (b)(6);(b)(7)(C) thought it was unusual that it took SUBJECT so long to realize VICTIM was mismanaging, but believed SUBJECT trusted VICTIM due to her prior DoD staff experience. (b)(6);(b)(7)(C) did not believe that SUBJECT and VICTIM had an unprofessional or inappropriate relationship. (b)(6);(b)(7)(C) recalled nothing irregular about SUBJECT, VICTIM, or their interactions on the TDYs on 1-3 Dec 17 and 19-23 Jun 17. However, during a trip to Halifax, Nova Scotia, VICTIM became "livid" and upset that the team was split in different hotels. (b)(6);(b)(7)(C) thought this was unusual because the two hotels were across the street from one another and presumed VICTIM just wanted to be in the same hotel as SUBJECT. (b)(6);(b)(7)(C) referenced this in an interview with the DoD OIG. VICTIM and CMSgt (b)(6);(b)(7)(C) interacted with each other frequently and often tried to be within close proximity to SUBJECT. For example, they would wait at elevator doors for SUBJECT so they could walk with him. (b)(6);(b)(7)(C) presumed this was because they thought it would be beneficial to get additional face time with SUBJECT.

2-63 On 6 May 19, SUBJECT's iPhone was extracted and a report was generated. A review of the report by SA (b)(6);(b)(7)(C) disclosed on 17 Apr 19, SUBJECT searched VICTIM's name via google using the term "Kathryn Spletstoser." On 24 Apr 19, VICTIM telephoned SUBJECT and they spoke for two minutes,





51 seconds. SUBJECT then telephoned VICTIM and they spoke for 14 minutes, 17 seconds. After the phone call with VICTIM, SUBJECT telephoned (b)(6);(b)(7)(C)

2-64 (b)(6);(b)(7)(C)

2-65 On 8 May 19, SA (b)(6);(b)(7)(C) conducted a review of SUBJECT's government mobile phone records from 2 May 18 to 28 Apr 19, which disclosed no pertinent information, to include no phone calls to/from SUBJECT's government mobile phone to/from VICTIM's current mobile phone or previous mobile work phone (402-319-0268).

2-66 On 8 May 18, SA (b)(6);(b)(7)(C) conducted a review of VICTIM's Defense Travel System (DTS) records, which disclosed an MFR dated 18 May 18 (**Exhibit 39**), wherein she traveled on 21 May 18 from OAFB, NE, to Bethesda, MD, for medical treatment. This was cross-referenced with travel voucher document 259LIT-3 (**Exhibit 40**), which disclosed she was TDY for this issue from 21 May 18 to 19 Jun 18.

2-67 **Search of Hyatt Regency Westlake Hotel:** On 9 May 19, SA (b)(6);(b)(7)(C) and SA (b)(6);(b)(7)(C) AFOSI Det 810, Los Angeles AFB (LAAFB), CA, conducted a search based on consent received from Civ (b)(6);(b)(7)(C) General Manager, Hyatt Regency Westlake Hotel, 880 South Westlake Blvd, Westlake Village, CA. 36 photographs of the hotel lobby, third floor, and Room 303, VICTIM's room during the incident, were obtained, four of which were attached as an exhibit (**Exhibit 41**). Room 304, SUBJECT's room during the incident, was occupied and unavailable for access/photographs. Agents photographed the interior of Room 303, the hallway of the third floor, the lobby of the hotel, and the exterior of the hotel. A review of the floorplan disclosed SUBJECT's room was directly across from VICTIM's room.

2-68 On 10 May 19, SA (b)(6);(b)(7)(C) Det 111 OL-A, March ARB (MARB), CA, interviewed Col (b)(6);(b)(7)(C) at Camp Wilson, Twenty-nine Palms, CA. Col (b)(6);(b)(7)(C) provided a signed, sworn statement (**Exhibit 42**), which disclosed he worked for SUBJECT for one year at USSTRATCOM. During the last six months of the year, Col (b)(6);(b)(7)(C) worked as (b)(6);(b)(7)(C) and VICTIM was (b)(6);(b)(7)(C). During Col (b)(6);(b)(7)(C) assignment, he had daily interaction with SUBJECT. Col (b)(6);(b)(7)(C) never witnessed SUBJECT engage in any inappropriate touching or behavior with VICTIM or anyone else. In addition to his signed, sworn statement, Col (b)(6);(b)(7)(C) verbally provided the following information: From November 2016 to January 2018, Col (b)(6);(b)(7)(C) worked at USSTRATCOM. For six months after SUBJECT assumed command of USSTRATCOM, Col (b)(6);(b)(7)(C) worked as (b)(6);(b)(7)(C). Then, for approximately six months, Col (b)(6);(b)(7)(C) worked under VICTIM as (b)(6);(b)(7)(C). In Col (b)(6);(b)(7)(C) opinion, SUBJECT and VICTIM's relationship appeared to be professional in nature. Col (b)(6);(b)(7)(C) never witnessed SUBJECT touch anyone inappropriately. Col (b)(6);(b)(7)(C) observed SUBJECT hug "old ladies he knew for years," although it was never inappropriate. Col (b)(6);(b)(7)(C) could not recall their names. When VICTIM served as the Director of the CAG, she attended almost all meetings with SUBJECT. Col (b)(6);(b)(7)(C) travelled on one or two occasions with SUBJECT, but he did not witness anything pertinent to this investigation. Shortly after VICTIM became the Director of the CAG, she told SUBJECT she wanted to be on his travel team in order to have greater visibility of any issued that may occur. VICTIM was relieved of duty as the Director of the CAG after Col (b)(6);(b)(7)(C) had already left USSTRATCOM. Col (b)(6);(b)(7)(C) was unaware of the reason for her removal. Col (b)(6);(b)(7)(C) described VICTIM as a toxic leader who was verbally abusive





and who often screamed at her CAG staff. Col (b)(6);(b)(7)(C) described SUBJECT as one of the most professional military members he had ever known. Col (b)(6);(b)(7)(C) further stated SUBJECT (b)(6);(b)(7)(C) (b)(6);(b)(7)(C)

2-69 On 13 May 19, SA (b)(6);(b)(7)(C) received a pair of Under Armor brand sweat pants provided by VICTIM, which she stated were the pants she was wearing during the 1-3 Dec 17 trip to Simi Valley, CA, when SUBJECT rubbed against her and ejaculated. VICTIM stated the pants had been washed four times since the Simi Valley trip. The pants appeared to be free of defect and were a dark blue color. The pants were taken into evidence (Evidence tag#: 13339191261441-1). On 14 May 19, SA (b)(6);(b)(7)(C) FSC, 2 FIS, JBA, MD, and SA (b)(6);(b)(7)(C) assisted SA (b)(6);(b)(7)(C) and SA (b)(6);(b)(7)(C) triaged the pants; SA (b)(6);(b)(7)(C) and SA (b)(6);(b)(7)(C) identified a substance of unknown origin, which was not visible under available white light. The substance was located approximately seven centimeters below the lower opening of the left pocket, as worn.

2-70 **SUBJECT Interview:** On 16 May 19, SA (b)(6);(b)(7)(C) and SA (b)(6);(b)(7)(C) interviewed SUBJECT at 12 FIS OL-B, OAFB, NE. SUBJECT's Area Defense Counsel, Maj (b)(6);(b)(7)(C) JBSA, TX, was present during the interview. Following advisement of his Article 31 rights for Abusive Sexual Contact, SUBJECT agreed to speak with investigators and verbally provided the following information: SUBJECT stated he first met VICTIM when he arrived to USSTRATCOM. VICTIM was SUBJECT's CAG Director, having been hired into the position by ADM HANEY. SUBJECT initially thought very highly of VICTIM, ranking her as his #1 Colonel in USSTRATCOM. After SUBJECT relieved VICTIM of her position, he realized that she was "brilliant up, but incredibly toxic down." In the Fall of 2017, SUBJECT began to hear concerns regarding the climate in the CAG. SUBJECT did not personally witness anything he considered concerning regarding VICTIM's behavior, and so he initiated a Preliminary Inquiry into the entire front office climate to determine the source of the conflict. The inquiry found that the climate issue may stem from toxic leadership on the part of VICTIM, so SUBJECT initiated an AR 15-6 with VICTIM as the subject of the investigation. The AR 15-6 substantiated the allegations of toxicity, and SUBJECT removed her from her position as CAG Director. SUBJECT stated it was normal for his CAG Director to travel with him and that his current and preceding CAG Directors traveled with him as regularly as VICTIM did. SUBJECT stated that, following VICTIM's firing, she made a series of threats alluding that she would harm herself or SUBJECT. (b)(6);(b)(7)(C)

(b)(6);(b)(7)(C) SUBJECT stated VICTIM later apologized and stated she was suffering from PTSD and a Traumatic Brain Injury (TBI). SUBJECT stated he believed her and assisted in her receiving treatment for the TBI. SUBJECT stated he had infrequent social interactions with VICTIM when not TDY, typically limited to office functions. While TDY SUBJECT's social interaction was more frequent, typically in the form of team dinners. SUBJECT stated he could not recall a time he was alone with VICTIM in a social context. SUBJECT stated everywhere he traveled, he traveled with a robust communications team and security detail. (b)(6);(b)(7)(C);(b)(7)(E)

(b)(6);(b)(7)(C);(b)(7)(E)

(b)(6);(b)(7)(C) SUBJECT denied ever going to staff members rooms, and stated he did not remember any time VICTIM came to his room by herself, though he acknowledged it had likely happened. SUBJECT stated if VICTIM had ever come to his room, the meetings were short, professional and







unmemorable which was consistent with all of his staff members. SUBJECT denied ever going to VICTIM's room and stated he did not go to VICTIM's hotel room, ever.

SUBJECT denied there was ever anything unprofessional or sexual that ever happened between he and VICTIM and that he had never ever treated her with disrespect. SUBJECT stated he had two 'red lines' as a commander, one being to never treat people with disrespect. SUBJECT stated VICTIM treated him and others with disrespect which was intolerable. SUBJECT stated throughout everything that happened, SUBJECT never treated VICTIM disrespectfully. AFOSI confronted SUBJECT with each allegation of sexual contact or unwanted touching. While SUBJECT recalled the TDYs and could provide details of each, he unequivocally denied each allegation, stated VICTIM was lying and that each allegation was a "complete fabrication."

2-71 **Search of SUBJECT's Person:** On 16 May 19, SUBJECT consented, via AF Form 1364, Consent to Search and Seizure, to obtain buccal swabs, for DNA analysis. Two buccal swabs were obtained (Evidence tag#: 13339191370856-1).

2-72 **VICTIM Re-interview:** On 21 May 19, SA (b)(6);(b)(7)(C) and SA (b)(6);(b)(7)(C) interviewed VICTIM at 1413 Arkansas Road, JBA, MD, with Lt Col (b)(6);(b)(7)(C) VICTIM's SVC, Langley AFB, VA, (b)(6);(b)(7)(C) and SSgt (b)(6);(b)(7)(C) SVC Paralegal, JBA, MD, present. VICTIM verbally provided the following information: Regarding the 1-3 Dec 17 incident at the Hyatt Regency hotel, VICTIM recalled SUBJECT entered VICTIM's room with a binder and wanted to talk. VICTIM sat next to SUBJECT on the bed, to his right side. SUBJECT grabbed VICTIM's left hand with his right hand and said VICTIM meant a lot to him and he felt close to her and he was really happy she was on this trip. VICTIM stood up and asked, "What are you doing?" SUBJECT stood and said "I thought you wanted..." SUBJECT then grabbed VICTIM, pulled her to him and kissed her. VICTIM did not pull away, which she believes gave SUBJECT the impression she enjoyed it. SUBJECT grabbed VICTIM's buttocks and grinded on VICTIM and kept kissing her. SUBJECT wore gray gym shorts and his penis was erect. SUBJECT ejaculated and VICTIM was able to separate herself from him. VICTIM asked what happened and SUBJECT said he thought this would be okay. VICTIM said it was never going to be okay. SUBJECT asked if VICTIM was going to tell [anyone] and VICTIM replied, "No John, I'm not going to tell." VICTIM saw the ejaculate on SUBJECT's shorts as well as on the front of her sweatpants, so she went into the bathroom and retrieved a hand towel and told him to clean himself up. VICTIM handed SUBJECT the binder and SUBJECT left the room. VICTIM recalled an additional incident that occurred in her USSTRATCOM office in approximately late 2017. During this incident, SUBJECT entered her office and just wanted to talk. SUBJECT shut the door and laid on the couch. VICTIM indicated that was not acceptable and asked him to sit in the chair. SUBJECT sat in the chair and put his hand on his penis. VICTIM asked what he was doing and SUBJECT replied that he was just kidding around. VICTIM told SUBJECT to stop doing that and asked what he wanted to talk about. SUBJECT attempted to talk about issues covered though other meetings. VICTIM felt these actions were to get a reaction out of her. SUBJECT did this on a 3-4 occasions. In approximately October 2017, after the Secretary of Defense visit, there was talk of taking over Nuclear Command, Control and Communications (NC3) responsibilities. SUBJECT wanted VICTIM to write a paper on how it would be done. SUBJECT came into VICTIM's office and shut the door. SUBJECT came around her desk and asked her to pull up prior staff papers on the subject. SUBJECT stood over VICTIM's shoulder while looking at the papers and put both hands on her shoulders "like Biden did." SUBJECT kissed VICTIM on the neck and said she was "the best" and so important to him. Then SUBJECT kissed VICTIM on the head very affectionately, but not romantically. VICTIM agreed to provide a DNA sample, for analysis. VICTIM





stated there were never any consensual sexual acts between her and SUBJECT. VICTIM agreed to provide her phone logs to determine any suspicious phone numbers that contacted VICTIM. VICTIM provided a sketch of her USSTRATCOM office area (**Exhibit 43**).

2-73 **Search of VICTIM's Person:** On 21 May 19, VICTIM consented, via AF Form 1364, Consent to Search and Seizure, to obtain buccal swabs, for DNA analysis. Two buccal swabs were obtained (Evidence tag#: 13339191261441-2).

2-74 On 22 May 19, SA [b)(6);(b)(7)(C)] received United States Army Criminal Investigation Laboratory (USACIL) Report 19-ATL-00938 (**Exhibit 44**), which disclosed no semen was identified on VICTIM's sweatpants (Evidence tag#: 13339191261441-1). However, a DNA mixture was detected from the outside left leg of the sweatpants. SUBJECT's DNA (Evidence tag#: 13339191370856-1) was excluded as a contributor to the DNA mixture found on VICTIM's pants.

Agent Note: the DNA mixture identified on the outside left leg of VICTIM's sweatpants included VICTIM's DNA as a contributor to the DNA mixture detected (**ref para 2-88**).

2-75 On 23 May 19, [b)(6);(b)(7)(C)] provided AFOSI copies of VICTIM's monthly telephone statements, dating from 26 Mar 18 to 25 Jun 18 for review. VICTIM allowed a review of the statements under the condition AFOSI would not photograph or copy the statements and would only write down incoming calls originating from a 402 (Omaha, NE) area code. SA [b)(6);(b)(7)(C)] reviewed the statements, which disclosed 16 incoming calls from 11 different numbers bearing a 402 area code. Of those, only one number was associated with USSTRATCOM, which was a call from CMSgt [b)(6);(b)(7)(C)] cell-phone. No calls were from numbers with an identifiable association to SUBJECT.

2-76 [b)(6);(b)(7)(C)]

2-77 Between 18 Apr 19 and 23 May 19, SA [b)(6);(b)(7)(C)] conducted a review of SUBJECT's and VICTIM's DTS trip logs, which disclosed the allegations presented by VICTIM, to include dates and locations, aligned with records of official TDYs where both SUBJECT and VICTIM were both present and matched the dates of VICTIM's allegations (**Exhibit 46**).

2-78 From 19 Apr 19 to 24 May 19, SA [b)(6);(b)(7)(C)] SA [b)(6);(b)(7)(C)] 7 FIS, JBA, MD, and Civ [b)(6);(b)(7)(C)] AFOSI ICON, MCB-Quantico, VA, reviewed the contents of SUBJECT's NIPR, SIPR, and JWICS e-mails. The electronic data reviewed spanned from 1 Nov 16 to 18 Apr 19. The review disclosed VICTIM had read/write/send/receive privileges on SUBJECT's email. A small amount of the overall e-mail traffic between SUBJECT and VICTIM was limited to only SUBJECT and VICTIM, and all e-mails reviewed appeared to be professional and work related. The remainder of the e-mail correspondence between SUBJECT and VICTIM included other recipients, and was professional and work-related in nature. The review encompassed approximately 195,000 emails (90,000 SIPR; 43,000 JWICS; 62,000 NIPR). Of the 133,000 total SIPR/JWICS emails, approximately 10% (13,300) were not readable, due to encryption. Of the 62,000 NIPR emails, approximately 30% (18,600) were not





readable, due to encryption. No incriminating or exculpatory emails/files or indication of an unprofessional relationship between SUBJECT and VICTIM was identified.

2-79 On 28 May 19, SA [redacted] conducted a FaceTime interview of [redacted] SA [redacted] displayed his AFOSI credentials and verified [redacted] identity by visually inspecting her Common Access Card (CAC). [redacted] verbally relayed the following information: On 13 Dec 17, during an end-of-day meeting, VICTIM stated to SUBJECT and his staff, "I can destroy you publicly, or you could include me, and I can help you fix your mess privately," in response to not being included on an email. This information was previously captured in statements [redacted] made on a DA Form 2823 dated 19 Jan 18 and a DODIG transcribed interview dated 15 Nov 18. [redacted] did not recall specifically what the email or issue was about, but recalled it was concerning a staff work issue. [redacted] recalled, at a minimum, SUBJECT, VICTIM, RDML SPENCER, [redacted] attended the meeting. VICTIM did not direct the statement toward anyone specifically, but [redacted] felt VICTIM directed it toward RDML SPENCER. SUBJECT did not react and gave no body language or verbal cues. [redacted] interpreted "destroy publicly" to mean VICTIM would call staff members out during meetings and "fix your mess privately" to mean VICTIM's inclusion in emails and input could have prevented issues. [redacted] did not believe VICTIM's statement at the time was indicative of strategic planning to take someone down. VICTIM made no related statements afterwards. [redacted] was surprised VICTIM said something like that during a staff meeting, but doing so was not inconsistent with VICTIM's behavior.

2-80 On 29 May 19, SA [redacted] Det 404, JBSA, TX, interviewed MSgt [redacted] HQ AETC/CC [redacted] JBSA-Randolph, TX at AFOSI Det 404, OL-A, JBSA-Randolph, TX. [redacted] provided a written statement (Exhibit 47) and verbally provided the following information: [redacted] initially met SUBJECT in approximately September 2013, when he was assigned as SUBJECT's Enlisted Aide at AF Space Command. [redacted] continued as [redacted] when SUBJECT was assigned as the USSTRATCOM Commander from October 2016 to November 2017. [redacted] worked at SUBJECT's residence and had daily contact with SUBJECT. VICTIM worked at the USSTRATCOM HQ Building and [redacted] only had infrequent contact with her when [redacted] would provide support at the HQ Building (approximately twice a week). VICTIM had a "bulldog" personality and liked to tell personnel on the staff how to do their job. [redacted] never saw any unprofessional or inappropriate interactions between SUBJECT and VICTIM. SUBJECT did not appear to favor VICTIM or any other personnel on the staff. SUBJECT was a very consistent leader and did not act in an emotional manner. SUBJECT's physical interaction with the staff, to include VICTIM, was limited to occasional handshakes. [redacted] only traveled with SUBJECT and VICTIM on two occasions. The first was in approximately January 2017, where they visited various locations in the Pacific. The second trip was in approximately July 2017, where they visited various locations in Europe. [redacted] was with SUBJECT on both trips and at no point did [redacted] witness any unprofessional contact between SUBJECT and VICTIM. [redacted]

[redacted]

[redacted] never witnessed SUBJECT enter VICTIM's hotel room and never witnessed VICTIM enter SUBJECT's hotel room. As the CAG director, VICTIM was very involved with the staff functions. Based on [redacted] experience, VICTIM and SUBJECT's Exec, [redacted] and later [redacted] would travel with SUBJECT more than was typical, but [redacted] believed it was based on the unique aspects of SUBJECT's position. [redacted] could not further clarify what was unique about SUBJECT's position.





VICTIM did not appear to have a higher level of access to SUBJECT beyond other staff members. (b)(6);(b)(7)(C) did not witness SUBJECT ever speak about VICTIM when she was not present, nor did he witness VICTIM speak about SUBJECT when he was not present. (b)(6);(b)(7)(C) never suspected any (b)(6);(b)(7)(C) unprofessional relationship with anyone. (b)(6);(b)(7)(C) (b)(6);(b)(7)(C) only witnessed VICTIM at SUBJECT's residence during two hail and farewell events and during the annual Christmas party. (b)(6);(b)(7)(C) never witnessed SUBJECT alone with VICTIM or any other unprofessional behavior between SUBJECT and VICTIM. (b)(6);(b)(7)(C) had never witnessed SUBJECT act in an unprofessional manner with any females and SUBJECT never made inappropriate jokes or comments related to females or anyone else. (b)(6);(b)(7)(C) maintained contact with SUBJECT and (b)(6);(b)(7)(C) after November 2017. (b)(6);(b)(7)(C) (b)(6);(b)(7)(C) last contact with SUBJECT was in approximately October 2018, (b)(6);(b)(7)(C) (b)(6);(b)(7)(C)

2-81 On 30 May 19, SA (b)(6);(b)(7)(C) telephonically interviewed (b)(6);(b)(7)(C) SA (b)(6);(b)(7)(C) verified (b)(6);(b)(7)(C) identity via her date of birth and the last four digits of her social security number. (b)(6);(b)(7)(C) verbally provided the following information: During a trip to California in late 2017 (Agent Note: 1-3 Dec 17), VICTIM stood a couple steps behind the PSD of SUBJECT and his entourage. Typically, VICTIM stood within the entourage. (b)(6);(b)(7)(C) noted VICTIM's behavior was typical, which consisted of small talk, laughing, and joking with the PSD. (b)(6);(b)(7)(C) did not recall specifically when VICTIM stood a couple steps behind the PSD during this trip. (b)(6);(b)(7)(C) only recalled VICTIM doing this during this trip. (b)(6);(b)(7)(C) did not recall who remarked VICTIM was being "bitchy." (b)(6);(b)(7)(C) believed this remark was made because everyone had been on official travel for a while, everyone was tired, and everyone encountered typical trip issues such as hotels reservations. These issues were typical of official travel. (b)(6);(b)(7)(C) did not recall any other specific details concerning VICTIM's physical presence of behavior during this trip.

2-82 On 31 May 19, SA (b)(6);(b)(7)(C) telephonically interviewed SA (b)(6);(b)(7)(C) who verbally provided the following information: SA (b)(6);(b)(7)(C) was assigned to Air Force Space Command (AFSPC) from approximately October 2012 to May 2015. SA (b)(6);(b)(7)(C) was assigned to the AFSPC security detail as (b)(6);(b)(7)(C) and was the driver for SUBJECT during part of his tenure. SA (b)(6);(b)(7)(C) duties included assessing routes, and driving SUBJECT to and from his destination. His job was to ensure SUBJECT made it to his destination safely, but never attended any of the events. SA (b)(6);(b)(7)(C) saw SUBJECT on 30 May 19 at an event for President Trump, and spoke with SUBJECT briefly. SUBJECT text messaged SA (b)(6);(b)(7)(C) on occasion socially, to see how SA (b)(6);(b)(7)(C) was doing. SA (b)(6);(b)(7)(C) described SUBJECT as a very genuine, and sincere individual who deeply cared about his people and job. SUBJECT was a very smart, family-oriented person. SA (b)(6);(b)(7)(C) never observed SUBJECT act inappropriately, to include any unwanted touching. No one ever reported instances of inappropriate behavior displayed by SUBJECT to SA (b)(6);(b)(7)(C) and SA (b)(6);(b)(7)(C) never heard anyone talking about SUBJECT acting inappropriately. SA (b)(6);(b)(7)(C) did not know VICTIM.





2-83 On 31 May 19, SA (b)(6);(b)(7)(C) Det 804, Vandenberg AFB (VAFB), CA, interviewed Col (b)(6);(b)(7)(C) Col (b)(6);(b)(7)(C) provided a signed, sworn statement (**Exhibit 48**), which disclosed he first met SUBJECT in the summer of 2013 while Col (b)(6);(b)(7)(C) was assigned as (b)(6);(b)(7)(C) 21st Space Wing, PAFB, CO, and SUBJECT was (b)(6);(b)(7)(C) During this time, Col (b)(6);(b)(7)(C) interacted with SUBJECT occasionally and the interactions were always professional. In May 2016, Col (b)(6);(b)(7)(C) became (b)(6);(b)(7)(C) and served in that role until SUBJECT departed AFSPC in November 2016. Col (b)(6);(b)(7)(C) had daily interaction with SUBJECT and never witnessed any behavior or actions that could be construed as inappropriate. Col (b)(6);(b)(7)(C) described SUBJECT as the "model of kindness and humility" as well as very professional in his interactions. Col (b)(6);(b)(7)(C) did not know VICTIM.

2-84 On 3 Jun 19, SA (b)(6);(b)(7)(C) Det 405, MAFB, AL interviewed (b)(6);(b)(7)(C) ACSC MAEB AL at Building 711, Maxwell AFB, AL. (b)(6);(b)(7)(C) once (b)(6);(b)(7)(C) verbally provided the following information: (b)(6);(b)(7)(C) met SUBJECT between February and March 2015, when she interviewed for (b)(6);(b)(7)(C) Her first impression of SUBJECT was that he had a very commanding presence, was cordial, and seemed to be a nice person. The only question SUBJECT asked that (b)(6);(b)(7)(C) perceived as "weird" was if she had and/or wanted children. (b)(6);(b)(7)(C) SUBJECT did not ask any questions that (b)(6);(b)(7)(C) perceived as inappropriate. (b)(6);(b)(7)(C) and SUBJECT's relationship was purely professional. (b)(6);(b)(7)(C) considered him a mentor and they maintained recurring contact, primarily via email. (b)(6);(b)(7)(C) emailed SUBJECT at least three times per year to provide an update on (b)(6);(b)(7)(C) and career. She saw SUBJECT in April 2019 at a space symposium in Colorado Springs, CO, where she also saw (b)(6);(b)(7)(C) traveled with SUBJECT on all TDYs. She normally delivered his luggage to his room and picked it up at the end of each trip. Therefore, she went to his room frequently. Several times, SUBJECT was in the room, but he never acted inappropriately towards (b)(6);(b)(7)(C) or made any inappropriate comments. The only time SUBJECT touched (b)(6);(b)(7)(C) was a "fatherly pat" on her shoulder. (b)(6);(b)(7)(C) stated she never had any indication of any inappropriate relationships involving SUBJECT. (b)(6);(b)(7)(C) never observed others going into SUBJECT's room or vice versa, but clarified she was not always in the same building and was not really looking for that, so if it happened it would not have registered in her mind. SUBJECT never went to (b)(6);(b)(7)(C) room. (b)(6);(b)(7)(C) never overheard any conversations between SUBJECT and another person that (b)(6);(b)(7)(C) perceived as inappropriate. (b)(6);(b)(7)(C) had access to SUBJECT's work related emails and to his work phone and never saw any messages or calls that would constitute inappropriate behavior. (b)(6);(b)(7)(C) (b)(6);(b)(7)(C)

2-85 On 3 Jun 19, SA (b)(6);(b)(7)(C) and SA (b)(6);(b)(7)(C) Det 803, PAFB, CO, interviewed Mrs. (b)(6);(b)(7)(C) (b)(6);(b)(7)(C) provided a signed, sworn statement (**Exhibit 49**), which disclosed she met SUBJECT in 2012 when he assumed his position as Vice Commander for AFSPC. (b)(6);(b)(7)(C) worked with SUBJECT for the next four years as (b)(6);(b)(7)(C) with his staff as he assumed Command of AFSPC. Since moving from PAFB, CO to assume command of USSTRATCOM, (b)(6);(b)(7)(C) stayed in touch with SUBJECT approximately quarterly. (b)(6);(b)(7)(C) had only the utmost respect for SUBJECT stating he was one of the most professional people she had ever met and with whom she has worked. SUBJECT always conducted himself in a professional manner and she never





witness, heard of, or personally experienced SUBJECT act inappropriately towards anyone to include other women. SUBJECT never acted inappropriately with (b)(6);(b)(7)(C) or in any manner that seemed sexual in nature. (b)(6);(b)(7)(C) only saw SUBJECT give hugs to other people in a professional manner and setting and never suspected anything sexual in his actions. (b)(6);(b)(7)(C) stated she would not describe SUBJECT as “touchy-feely.” SUBJECT never told inappropriate jokes nor made inappropriate innuendos. To (b)(6);(b)(7)(C) knowledge, SUBJECT never sexually harassed anyone in any way. She would not hesitate to work for SUBJECT again, should the opportunity arise. (b)(6);(b)(7)(C) did not travel with SUBJECT during his time at PAFB, CO, but stated (b)(6);(b)(7)(C) assigned to the CAG did travel at times with SUBJECT when he went TDY.

- 2-86 On 3 Jun 19, SA (b)(6);(b)(7)(C) Det 804, VAFB, CA, interviewed (b)(6);(b)(7)(C) who provided a signed, sworn statement (**Exhibit 50**), which disclosed in June 2013, she first met SUBJECT while they worked in the same building at PAFB, CO. (b)(6);(b)(7)(C) never had any personal interactions with SUBJECT during this time and never noticed or heard any negative information about SUBJECT. In June 2015, (b)(6);(b)(7)(C) informed her of her selection as (b)(6);(b)(7)(C). She worked as (b)(6);(b)(7)(C) until June 2016. During this time, she never travelled with SUBJECT and she was never alone with SUBJECT. (b)(6);(b)(7)(C) knew SUBJECT traveled with (b)(6);(b)(7)(C) and (b)(6);(b)(7)(C). During her time on SUBJECT's staff, (b)(6);(b)(7)(C) went to SUBJECT's home approximately three times (b)(6);(b)(7)(C) for unit functions. At these functions (b)(6);(b)(7)(C) and other members of the unit were present. (b)(6);(b)(7)(C) was not aware of any allegations against SUBJECT. (b)(6);(b)(7)(C) did not know VICTIM and never saw SUBJECT and VICTIM together. Additionally, (b)(6);(b)(7)(C) never saw SUBJECT act inappropriately with females or males, whether on or off duty. No one ever made a complaint about SUBJECT and there were no rumors indicating SUBJECT acted inappropriately around females.
- 2-87 Between 18 Apr 19 and 3 Jun 19, SA (b)(6);(b)(7)(C) conducted a review of SUBJECT's, (b)(6);(b)(7)(C) and VICTIM's DTS trip logs which disclosed SUBJECT and VICTIM were TDY during the dates and at the locations VICTIM alleged the abusive sexual contact and unprofessional behavior occurred when away from Offutt AFB, NE. (b)(6);(b)(7)(C) did not accompany SUBJECT TDY on the dates of the alleged incidents. Between 3 Jan 17 and 26 Feb 18, SUBJECT and VICTIM were TDY together 36 times, all of which included an overnight stay. Of those 36 TDYs, (b)(6);(b)(7)(C) traveled with SUBJECT and VICTIM on 14 TDYs, which covered the entire period related to VICTIM's allegations. Of the 36 TDYs, six were overseas trips, of which (b)(6);(b)(7)(C) traveled on three occasions. All three of the trips (b)(6);(b)(7)(C) did not travel, the Korea and Japan trip, 18 – 26 Aug 17, the London, UK trip, 23 - 26 Sep 17, and the Halifax, Nova Scotia trip, 17-19 Nov 17, correlated to VICTIM's allegations. There was no appreciable pattern related to (b)(6);(b)(7)(C) accompanying SUBJECT on CONUS or overseas travel relative to the period correlating to VICTIM's allegations. (b)(6);(b)(7)(C) traveled on TDYs before, during, and following the dates of VICTIM's allegations. Individuals accompanying SUBJECT and VICTIM were identified and interviewed for their knowledge of VICTIM's allegations. From these trip logs and interviews, a timeline of events was created (**Exhibit 51**).
- 2-88 On 4 Jun 19, SA (b)(6);(b)(7)(C) received USACIL Report 19-ATL-00938 (**Exhibit 52**), which disclosed VICTIM was included as a contributor to the DNA mixture detected from the outside left leg of VICTIM's sweatpants.
- 2-89 On 4 Jun 19, SA (b)(6);(b)(7)(C) US Army Criminal Investigations Command (USACIDC), queried ALERTS (Army Law Enforcement Reporting and Tracking System), for records pertaining to





VICTIM. Contained within ALERTS was a Raw Data File documenting a request to the Pentagon Police Directorate (PPD) by Col (b)(6);(b)(7)(C) USSTRATCOM, requesting that VICTIM's access to PFPA protected facilities be suspended. PFPA has complied with the request and Pentagon Police generated incident report 180417020 documenting the actions taken. According to Col (b)(6);(b)(7)(C) VICTIM was trying to contact the Chief of Staff of the Army due to her displeasure at having been removed from her position at USSTRATCOM. Col (b)(6);(b)(7)(C) stated VICTIM was not a threat to herself or others at that time. No other records material to this investigation were identified.

2-90 On 5 Jun 19, SA (b)(6);(b)(7)(C) reviewed SUBJECT's iPhone extraction report (ref para 2-63), which disclosed 221 total phone calls and 314 total text messages spanning from 25 Jan 19 to 28 Apr 19. There were no text messages between SUBJECT and VICTIM. One phone call from VICTIM to SUBJECT occurred on 24 Apr 19 at 1927 Eastern Standard Time (EST), where VICTIM telephoned SUBJECT and the call lasted two minutes, fifty-one seconds. At 1932 EST hours, SUBJECT telephoned VICTIM and the call lasted 14 minutes, 17 seconds. No other calls were made to VICTIM or received from VICTIM's telephone numbers during this period.

Agent Note: Records available to AFOSI covering January 2017 – February 2018 for both SUBJECT and VICTIM's government phones only included the raw number of text messages sent, but did not include content, date/time, or to/from information (ref para 2-65). Due to a phone refresh, SUBJECT did not possess the same physical iPhone he had during the relevant period.

2-91 On 21 Jun 19, SA (b)(6);(b)(7)(C) and SA (b)(6);(b)(7)(C) conducted a videoconference interview with (b)(6);(b)(7)(C) via FaceTime. The interview was facilitated by SA (b)(6);(b)(7)(C) AFOSI Det 810, Los Angeles AFB, CA, who met (b)(6);(b)(7)(C) and coordinated the video and audio connection with SA (b)(6);(b)(7)(C) and SA (b)(6);(b)(7)(C). (b)(6);(b)(7)(C) stated VICTIM had brought wave after wave of allegations against SUBJECT. (b)(6);(b)(7)(C) stated VICTIM was a toxic leader, but that it was a long time before this issue was brought to SUBJECT's attention. SUBJECT told (b)(6);(b)(7)(C) that VICTIM did not display behaviors consistent with a toxic leader in front of him, but that he later counseled VICTIM about her toxic leadership, and VICTIM did not react well. MG KARBLER had to talk with VICTIM, and SUBJECT relieved her from her position. (b)(6);(b)(7)(C) stated (b)(6);(b)(7)(C) and that VICTIM made additional personal allegations about sexual misconduct against SUBJECT around the time SUBJECT's nomination became public. (b)(6);(b)(7)(C) knew of the allegations against SUBJECT from SUBJECT telling her; she did not believe that SUBJECT had committed any sexual offenses. (b)(6);(b)(7)(C) stated she did not believe the allegations against SUBJECT as SUBJECT is not the type of person do engage in the conduct he was accused of; he had always treated both men and women with respect. (b)(6);(b)(7)(C) described her relationship with VICTIM as minimal. VICTIM seemed like a "fine person." They did not have long conversations, and she perceived VICTIM to be a serious officer. SUBJECT had talked about VICTIM previously to (b)(6);(b)(7)(C) stating, "she's Army," which (b)(6);(b)(7)(C) understood to mean she was rough around the edges, but professional. SUBJECT believed VICTIM to be very bright and noted she had been a White House fellow. (b)(6);(b)(7)(C) stated (b)(6);(b)(7)(C) when VICTIM called SUBJECT (ref para 2-27). (b)(6);(b)(7)(C) was unable to hear all of the conversation, but said she understood bits and pieces. (b)(6);(b)(7)(C) stated VICTIM called SUBJECT seeking a job recommendation, and VICTIM later stated there was a perception of an unprofessional relationship between SUBJECT and VICTIM. (b)(6);(b)(7)(C) said the prospect of an unprofessional relationship was "crazy" and questioned when and how SUBJECT would have been able





to commit the offenses alleged. SUBJECT remained on the telephone as he was concerned VICTIM may have called him because she was planning to harm herself. (b)(6);(b)(7)(C) stated she had never heard VICTIM in the background when speaking with SUBJECT over the telephone while he was TDY. (b)(6);(b)(7)(C) stated (b)(6);(b)(7)(C) was genuine, a good person, without guile, and innocent of what he was accused of. When asked how SUBJECT was generally dealing with the overall situation, (b)(6);(b)(7)(C) stated SUBJECT's lawyer advised him to take a polygraph. (b)(6);(b)(7)(C) stated (b)(6);(b)(7)(C) paid "a lot of money" to take the polygraph, but that it did not go well, which made SUBJECT upset. (b)(6);(b)(7)(C) clarified she not mean that the polygraph did not go well but rather she understood that the results were inconclusive, which was what made SUBJECT upset. (b)(6);(b)(7)(C) attributed SUBJECT's reaction to the polygraph as a result of the stress he was under due to the allegations made against him (Agent Note: (b)(6);(b)(7)(C) was referring to both the ethics allegations investigated by DoD OIG, and the allegations being investigated by AFOSI for this investigation). (b)(6);(b)(7)(C) stated SUBJECT had never been in any kind of trouble in his life, and the weight of multiple accusations was very disturbing for him. (b)(6);(b)(7)(C) concluded by stating she did not believe the sexual allegations VICTIM made against SUBJECT, (b)(6);(b)(7)(C) declined to provide a written statement.

- 2-92 On 22 Jun 19, SA (b)(6);(b)(7)(C) conducted a telephonic clarification interview with (b)(6);(b)(7)(C) (b)(6);(b)(7)(C) stated she did not know the name of the polygrapher SUBJECT utilized, or the company for which he worked. (b)(6);(b)(7)(C) stated SUBJECT's attorney was present at the polygraph examination. (b)(6);(b)(7)(C) stated SUBJECT went to Washington DC for the examination.
- 2-93 On 23 Jun 19, (b)(6);(b)(7)(C) stated that SUBJECT, on the advice of his legal counsel, declined to answer questions regarding the independent polygraph examination, declined to be re-interviewed by investigators, and declined to provide a written statement.
- 2-94 On 23 Jun 19, (b)(6);(b)(7)(C) provided AFOSI with a written statement via e-mail (**Exhibit 54**). In the statement, (b)(6);(b)(7)(C) stated (b)(6);(b)(7)(C) SUBJECT, had always been above reproach, was a good man, and that the accusations leveled against SUBJECT by VICTIM were false. (b)(6);(b)(7)(C) stated being upset was human, and did not constitute guilt.







**EXHIBITS**

3-1 The following items are appended to this report (cross-referenced):

1. VICTIM MFR (ref para 2-2)
2. (b)(6);(b)(7)(C)
3. VICTIM's Second MFR (ref para 2-21)
4. DoD OIG Report (ref para 2-22)
5. US Army AR 15-6 Report (ref para 2-25)
6. AF Form 1168, Statement by (b)(6);(b)(7)(C) (ref para 2-26)
7. (b)(6);(b)(7)(C)
- 8.
- 9.
- 10.
- 11.
12. AF Form 1168, Statement by SA (b)(6);(b)(7)(C) (ref para 2-34)
13. AF Form 1168, Statement by SA (b)(6);(b)(7)(C) (ref para 2-35)
14. AF Form 1168, Statement by SA (b)(6);(b)(7)(C) (ref para 2-36)
15. AF Form 1168, Statement by (b)(6);(b)(7)(C) (ref para 2-37)
16. AF Form 1168, Statement by (b)(6);(b)(7)(C) (ref para 2-38)
17. AF Form 1168, Statement by (b)(6);(b)(7)(C) (ref para 2-40)
18. AF Form 1168, Statement by SA (b)(6);(b)(7)(C) (ref para 2-41)
19. AF Form 1168, Statement by Col (b)(6);(b)(7)(C) (ref para 2-42)
20. Col (b)(6);(b)(7)(C) Contemporaneous Record (ref para 2-42)
21. AF Form 1168, Statement by (b)(6);(b)(7)(C) (ref para 2-43)
22. (b)(6);(b)(7)(C) MFR (ref para 2-43)
23. AF Form 1168, Statement by (b)(6);(b)(7)(C) (ref para 2-44)
24. AF Form 1168, Statement by (b)(6);(b)(7)(C) (ref para 2-45)
25. AF Form 1168, Statement by (b)(6);(b)(7)(C) (ref para 2-46)
26. (b)(6);(b)(7)(C) Sketch of USSTRATCOM Offices (ref para 2-47)
27. AF Form 1168, Statement by (b)(6);(b)(7)(C) (ref para 2-48)
28. AF Form 1168, Statement by (b)(6);(b)(7)(C) (ref para 2-49)
29. AF Form 1168, Statement by (b)(6);(b)(7)(C) (ref para 2-51)
30. AF Form 1168, Statement by (b)(6);(b)(7)(C) (ref para 2-52)
31. AF Form 1168, Statement by (b)(6);(b)(7)(C) (ref para 2-53)
32. AF Form 1168, Statement by (b)(6);(b)(7)(C) (ref para 2-54)
33. AF Form 1168, Statement by (b)(6);(b)(7)(C) (ref para 2-57)
34. AF Form 1168, Statement by (b)(6);(b)(7)(C) (ref para 2-58)
35. AF Form 1168, Statement by (b)(6);(b)(7)(C) (ref para 2-59)
36. (b)(6);(b)(7)(C) Sketch of USSTRATCOM Offices (ref para 2-59)
37. AF Form 1168, Statement by (b)(6);(b)(7)(C) (ref para 2-61)
38. AF Form 1168, Statement by (b)(6);(b)(7)(C) (ref para 2-62)
39. VICTIM DTS Records dated 18 May 18 (ref para 2-66)
40. VICTIM DTS Voucher (ref para 2-67)
41. Photographs of Hyatt Regency Westlake Hotel (ref para 2-68)
42. AF Form 1168, Statement by (b)(6);(b)(7)(C) (ref para 2-72)
43. VICTIM Sketch of (b)(6);(b)(7)(C) (ref para 2-72)





44. USACIL Lab Report 19-ATL-00938 dated 21 May 19 (ref para 2-74)
45. [REDACTED]
46. SUBJECT and VICTIM's DTS Travel Spreadsheet (ref para 2-77)
47. AF Form 1168, Statement by [REDACTED] (ref para 2-80)
48. AF Form 1168, Statement by [REDACTED] (ref para 2-83)
49. AF Form 1168, Statement by [REDACTED] (ref para 2-85)
50. AF Form 1168, Statement by [REDACTED] (ref para 2-86)
51. Timeline of Events (ref para 2-87)
52. USACIL Lab Report 19-ATL-00938 dated 4 Jun 19 (ref para 2-88)
53. [REDACTED] Sketch of USSTRATCOM Offices (ref para 2-61)
54. Statement by [REDACTED] (ref para 2-94)





**EVIDENCE**

4-1 The following is a list of evidence associated with this investigation:

Obtained at: AFOSI Det 331, 1413 Arkansas Drive, Suite 320, Joint Base Andrews (JBA), MD  
Obtained on: 24 Apr 19  
Obtained by: (b)(6);(b)(7)(C)  
Agent: SA (b)(6);(b)(7)(C)

13339191120742-1: One Verbatim brand DVD-R containing audio recording of phone call between SUBJECT and VICTIM.

Condition: used  
Marked for ID: (b)(6);(b)(7)(C) 24 Apr 19"

Obtained on: 29 Apr 19  
Agent: SA (b)(6);(b)(7)(C)

13339191120742-2: One (1) white Apple brand iPhone 7, model number A1660.

Condition: used.  
Marked for ID: Property tag that reads "Property of USSTRATCOM 0579"

Obtained at: AFOSI Det 331, 1413 Arkansas Drive, Suite 320, JBA, MD (para. 2-41)  
Obtained on: 6 May 19  
Agent: SA (b)(6);(b)(7)(C)

13339191202316-1: One AFOSI Evidence Grade DVD-R bearing serial number: 00004700263.  
DVD-R contains PDF and Excel forensic extraction reports from the extraction of SUBJECT's cellular phone.

Condition: used.

13339191202316-2: One AFOSI Evidence Grade DVD-R bearing serial number: 00004700262.  
DVD-R contains UFDR format forensic extraction reports from the extraction of SUBJECT's cellular phone.

Condition: used.  
Obtained at: (b)(6);(b)(7)(C) (para. 2-74)  
Obtained on: 13 May 19  
Agent: SA (b)(6);(b)(7)(C)  
RCVD From: SPLETSTOSER, KATHRYN

13339191261441-1: One pair of blue sweatpants with elastic waistband.

Condition: used.  
Marked for ID: (b)(6);(b)(7)(C) 13 May 19 on inside of waistband.

Obtained at: AFOSI Det 331, 1413 Arkansas Drive, Suite 310, JBA, MD (para. 2-74)





File No: 331-C-120AA4-13339191061020

Obtained on: 21 May 19

Obtained by: (b)(6);(b)(7)(C)

13339191261441-2: 2EA cotton tipped applicators of buccal swabs from Colonel Kathryn Spletstoser, placed in a brown paper bag marked (b)(6);(b)(7)(C) "21 May 19" for identification.

Condition = used

~~FOR OFFICIAL USE ONLY//LAW ENFORCEMENT SENSITIVE~~



FILE NUMBER 331-C-120AA4-13339191061020		AFOSI INVESTIGATIVE COMMUNICATION		DATE OF TRANSMITTAL 8 July 2019
TO Commander, Air Combat Command Joint Base Langley-Eustis, VA		FROM AFOSI Det 331, 1413 Arkansas Rd, Ste 320 Joint Base Andrews, MD		
SUBJECT Supplemental Investigative Activities; AFOSI Case File # 331-C-120AA4-13339191061020				
REFERENCES AFOSIMAN 71-121, para 7.13.2.1.				
<b>ITEM(S) CHECKED ARE APPLICABLE TO ABOVE SUBJECT</b>				
<input type="checkbox"/>	1. INVESTIGATION HAS BEEN INITIATED AND REPORTS WILL BE FORWARDED AS SOON AS POSSIBLE.			
<input checked="" type="checkbox"/>	2. THIS MATTER IS <input type="checkbox"/> PENDING <input checked="" type="checkbox"/> CLOSED			
<input type="checkbox"/>	3. REQUEST REPORT OF ACTION TAKEN (AFR 124-4).			
<input checked="" type="checkbox"/>	4. NOTE RESTRICTIVE LEGENDS ON FRONT OF THE ATTACHMENT(S).			
<input type="checkbox"/>	5. REQUEST INSTRUCTIONS AS TO DISPOSITION OF EVIDENCE LISTED BELOW.			
<input checked="" type="checkbox"/>	6. ATTACHED IS FORWARDED FOR <input type="checkbox"/> INFORMATION <input checked="" type="checkbox"/> ACTION			
<input checked="" type="checkbox"/>	7. INVESTIGATION/SUMMARY ATTACHED.			
<input type="checkbox"/>	8. REQUEST STATUS OF THIS MATTER AND/OR DATE REPORT MAY BE EXPECTED.			
<input checked="" type="checkbox"/>	9. REFER ATTACHED TO INTERESTED COMMANDER FOR INFORMATION OR ACTION IF NOT PREVIOUSLY REPORTED			
<input checked="" type="checkbox"/>	10. WHEN ATTACHMENT(S) IS/ARE REMOVED, THE CLASSIFICATION OF THIS CORRESPONDENCE WILL BE			
	<input type="checkbox"/> RETAINED	<input type="checkbox"/> DOWNGRADED TO	<input type="checkbox"/> CANCELLED	<input checked="" type="checkbox"/> MARKED "FOR OFFICIAL USE ONLY"
REMARKS 1. In accordance with AFOSIMAN 71-121, Processing and Reporting Investigative Matters, paragraph 7.13.2.1., AFOSI is providing the following investigative information from AFOSI investigation 331-C-120AA4-13339191061020. This AFOSI investigative communication is being provided in lieu of a supplemental report of investigation (ROI), however this information should be reviewed in concert with the ROI signed 23 Jun 19. Should any action be taken as a result of this information, Action Authority or designee must report to AFOSI all dispositions on investigated offenses and specifications (AFI 71-101, Volume 1).  Matter Investigated: Abusive Sexual Contact, Violation of Article 120, UCMJ  SUBJECT: JOHN EARL HYTEN; Male Born: (b)(6);(b)(7)(C) O-10; SSN: (b)(6);(b)(7)(C) US Strategic Command (USSTRATCOM), Offutt AFB, NE  VICTIM: KATHRYN ANN SPLETSTOSER; Female Born: (b)(6);(b)(7)(C) O-6; SSN: (b)(6);(b)(7)(C); Defense Threat Reduction Agency (DOD), Fort Belvoir, VA				
NAME, GRADE, TITLE, AND SIGNATURE (b)(6);(b)(7)(C) SA, USAF Commander, AFOSI Det 331 (b)(6);(b)(7)(C)		ATTACHMENT(S)  Exhibits attached as listed.		COPIES TO:  ACC/JA (Info); SAF/IG (Info); File

REMARKS (Continued)

(continued...)

2. The following additional investigative activities were conducted, in continued paragraph order:

2-95 On 1 Jul 19, SA (b)(6);(b)(7)(C) conducted a telephonic interview of GEN MARK MILLEY, Chief of Staff, US Army, Pentagon, Washington, DC. GEN MILLEY stated he recalled several instances where SUBJECT contacted him regarding VICTIM. The first instance was to advocate for a possible position on the Army staff for VICTIM. This was in the Fall of 2017, and was out of the typical Army assignment cycle (Summer) for O-6 positions. GEN MILLEY could not recall the specific position, whether it was an executive officer, CAG director or staff job, but stated there were no openings at the time and VICTIM was not matched to a position. GEN MILLEY stated it was very common for senior officers to reach out to him to advocate for individuals, and he routinely received calls and e-mails from Combatant Commanders, retired generals, flag officers, and admirals conducting similar advocacy as SUBJECT had for VICTIM. GEN MILLEY stated VICTIM had been on the Army staff for approximately one year while he was Chief of Staff. While he believed he had met her previously, he could not recall any specific conversations with VICTIM. A second instance (b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)

(b)(6);(b)(7)(C) On 24 Apr 19, MG KARBLER had sent an e-mail recounting a conversation VICTIM had in violation of a No Contact Order. SUBJECT forwarded this e-mail to GEN JOSEPH DUNFORD, Chairman of the Joint Chiefs, and GEN MILLEY on 25 Apr 19 for their situational awareness. GEN MILLEY did not respond to this e-mail.

2-96 On 1 Jul 19, SA (b)(6);(b)(7)(C) conducted a telephonic interview of GEN MCCONVILLE, who stated approximately two years ago, in the fall of 2017, SUBJECT contacted him to advocate for a job for VICTIM. GEN MCCONVILLE stated it was very common for senior leaders to reach out to him advocating for O-6 assignment opportunities, and that he typically connected them with the chief of Colonel Officer Assignments, COL (b)(6);(b)(7)(C). In this case, GEN MCCONVILLE stated SUBJECT asked that he connect MG KARBLER with the Colonels assignment office. GEN MCCONVILLE stated this was particularly common for Army officers in joint positions, and was often driven by the officer themselves in an effort to work their next position. GEN MCCONVILLE had no further recollection of interaction with SUBJECT about VICTIM.

2-97 On 2 Jul 19, SA (b)(6);(b)(7)(C) conducted a telephonic interview of LTG JOSEPH ANDERSON, US Army (retired), the former Deputy Chief of Staff, G-3/5/7. LTG ANDERSON stated while he had occasional interaction with SUBJECT while he was on Active Duty, however, it was on matters unrelated to VICTIM. LTG ANDERSON stated he had zero interaction with SUBJECT about VICTIM. LTG ANDERSON stated he knew VICTIM from her time as a colonel on the Army G-3, but had minimal interaction with her. He recalled VICTIM believed at one point she was going to be assigned as the XO for the Army G-3, but stated he did not know why she believed that and was not aware of any plan to place her for that position. LTG ANDERSON stated he had two primary memories involving VICTIM. The first was that VICTIM sought his approval to receive Army War College credit, which he supported. LTG ANDERSON stated his second primary memory was of an interaction with her was when she received a "middle of the pack" Officer Efficiency Report, which she felt was unfair and subsequently appealed directly to him. LTG ANDERSON stated the rating was fair, and it was not changed despite VICTIM's protests. LTG ANDERSON stated he knew VICTIM to be an unstable and irrational person who was headstrong and thought she knew best. For example, VICTIM's lack of interpersonal skills caused a lot of problems for her then boss, MG WILLIAM HIX, US Army (retired), the former Chief of Strategy, Army G-3, who she worked for as his Chief of Staff. LTG ANDERSON stated he avoided interacting with VICTIM because he "knew she was trouble."

2-98 On 2 Jul 19, SA (b)(6);(b)(7)(C) conducted a telephonic interview of GEN JOHN M. MURRAY, US Army, Commander, US Army Futures Command, Austin, TX. GEN MURRAY recalled interviewing VICTIM for a position as his Executive Officer when he was the G-8 on the Army Staff. GEN MURRAY stated he remembered the interview, but not the person. He recalled VICTIM was recommended for the position by someone, however, he did not recall who made the recommendation, noting it may have been SUBJECT who provided her the recommendation. GEN MURRAY stated it was totally normal for one senior officer to advocate to another on behalf of an officer who worked for them. GEN MURRAY stated he did not select VICTIM for the position because another, more qualified, candidate was chosen. GEN MURRAY stated VICTIM did not have a good reputation in the Army, and that he had reached out to individuals he trusted within the G-3/5/7, where VICTIM had worked in a previous assignment, and had received feedback that she was not a good officer, was abrasive, and hard to work with. GEN MURRAY stated he did not recall any

REMARKS (Continued)

specific interaction he had with SUBJECT. GEN MURRAY did not know SUBJECT personally, and declared if SUBJECT were not in uniform, he would not recognize him in a crowd.

2-99 On 3 Jul 19, SA (b)(6);(b)(7)(C) conducted a telephonic interview of Admiral KURT W. TIDD, US Navy (retired), who was the former commander of US Southern Command. ADM TIDD stated he had never heard of VICTIM. ADM TIDD stated in early 2018 he was looking to hire for several positions, to include an executive officer. In order to find the best candidates, he sent a note to multiple COCOMs requesting nominations for their best qualified individuals. ADM TIDD stated he recalled getting several names from HQ USAF and HQ Army, but did not review any resumes or interview any individuals from STRATCOM for a position. ADM TIDD stated he did not know VICTIM and had no memory of ever hearing her name.

2-100 From 2 - 5 Jul 19, SA (b)(6);(b)(7)(C) SA (b)(6);(b)(7)(C) SA (b)(6);(b)(7)(C) 7 FIS, JBA, MD, and (b)(6);(b)(7)(C) reviewed the encrypted contents of SUBJECT's NIPR, SIPR, and JWICS e-mails. A review of all SUBJECT's NIPR and JWICS encrypted e-mails was completed. Of the approximately 62,000 SIPR e-mails reviewed, two emails between SUBJECT and VICTIM were unable to be decrypted due to issues with the decryption certificates. The encrypted electronic data reviewed spanned from 1 Nov 16 to 18 Apr 19. A limited amount of the encrypted e-mail traffic was between SUBJECT and VICTIM, and all encrypted e-mails reviewed appeared to be professional and work-related. The remainder of the encrypted e-mail correspondence between SUBJECT and VICTIM included other recipients, and appeared professional and work-related in nature.

Agent Note: On 2 Jul 19, AFOSI obtained SUBJECT's encryption keys and was able to review SUBJECT's encrypted e-mails on NIPR, SIPR, and JWICS (ref para 2-78).

The NIPR encrypted e-mail review disclosed that SUBJECT emailed GEN MILLEY, GEN MCCONVILLE, LTG ANDERSON, and GEN MURRAY advocating for an assignment opportunity for VICTIM (Exhibit 55). SUBJECT sent GEN MCCONVILLE two e-mails about VICTIM on 6 Nov 17, as well as an e-mail on 7 Nov 17. SUBJECT e-mailed GEN MILLEY on 19 Dec 17, where he referenced SUBJECT had spoken with GEN MILLEY weeks before about VICTIM and he was following up. SUBJECT e-mailed LTG ANDERSON and GEN MURRAY on 21 Jan 18. SUBJECT's e-mails to both generals were similar in content and structure, and included the comment, "For complete transparency, she has a quality that rubs some people the wrong way – she can be demanding – but I like that. Demanding officers seem to be hard to find these days because they can create complaints. But they also teach, mentor, and get things done." On 17 Jan 18, VICTIM sent SUBJECT and MG KARBLER an e-mail about an executive officer opportunity at USSOUTHCOM (Exhibit 55). SUBJECT did not reply to VICTIM's e-mail. There were no emails reviewed where SUBJECT contacted ADM TIDD to advocate on the behalf of VICTIM for the executive officer job or any other position.

Agent Note: Each of the e-mails SUBJECT sent advocating for job opportunities for VICTIM were prior to the conclusion of the 15-6 in February 2018. See Exhibit 60 for VICTIM Assignment Opportunity Advocacy Timeline.

There were two e-mail chains reviewed, one dated 12 Oct 17, and another dated 9 Jan 18, where VICTIM's projected CAG departure and assignment options were referenced and discussed with SUBJECT (Exhibit 56). On 12 Oct 17, VICTIM e-mailed SUBJECT with an update on her assignment and BG board timeline. VICTIM stated options for MG KARBLER and SUBJECT to engage specific general officers and push for consideration of competitive colonel jobs. On 9 Jan 18, VICTIM e-mailed LTC (b)(6);(b)(7)(C) Colonels Management Office Functional Area 48 and 59 Human Resources Manager, requesting the status of any assignment options. VICTIM provided the backstory for seeking an assignment, stating that SUBJECT already used his one Multi-star potential rating on VICTIM at the one year (under him) mark. As such, SUBJECT wanted to logically make moves, but there were no positions within STRATCOM that he could move VICTIM to based on the command's over strengths and the fact that any option at STRATCOM would be a "fairly steep step down." VICTIM wrote, "He feels his hands are tied because the Army won't work with him to move me early to preserve his ability to take care of me (subsequent reports would be a downgrade without a SR profile re-start which is also problematic) and to remain competitive."

(b)(6);(b)(7)(C)

REMARKS (Continued)

(b)(6);(b)(7)(C)

A review of an e-mail chain between SUBJECT and MG KARBLER, dated 24 Feb 18, titled Re: Review Complete (Exhibit 58), revealed SUBJECT and MG KARBLER discussed scheduling a time to go over a decision and next steps (Agent Note: reference Exhibit 3, para titled 24-25 Feb 2018).

A review of an e-mail from VICTIM to SUBJECT and MG KARBLER, dated 27 Mar 18, titled AR 15-6 Appeal (Exhibit 59), revealed VICTIM appealed the results of the 15-6 based on new information not previously considered. The new information specified was the impact of combat related PTSD and TBI that was not reasonably available for consideration during the 15-6. VICTIM wrote, "Additionally, if credibility is an issue I volunteer to take a polygraph any time anywhere to reinforce the truth of my statements. Leaving the adverse findings of this investigation as it stands and placing them in my OMPF would be fundamentally unfair."

A review of an e-mail from Col (b)(6);(b)(7)(C) Staff Judge Advocate, USSTRATCOM, OAFB, NE, to SUBJECT and MG KARBLER, dated 13 Aug 18, titled CDR's MFR (Exhibit 61), revealed the final draft of an attached MFR, subject line "Memorialization of Inaccuracies in COL Kathryn A. Spletstoser's 27 July 2018 Memorandum Regarding Relief-for-Cause Officer Evaluation Report (OER) Response and Other Relevant Correspondence." The unsigned MFR contained 11 numbered paragraphs and referenced changes SUBJECT directed, as well as typos corrected. In paragraph 9 of the MFR, SUBJECT wrote, "In spite of the many accusations, deflections, and falsehoods made by COL Spletstoser throughout this entire process, to include her 27 July 2018 memorandum, she makes one valid point. I, as the Combatant Commander and her supervisor, failed to recognize her for what she is, a toxic leader, until the preliminary inquiry was complete. I should have noticed my CAG Director's toxic behavior and addressed it much earlier. I was wrong in assuming a senior Field Grade Officer performing at her level would see the effect she was having on those around her. I should not have assumed COL Spletstoser was, like most successful leaders, burdened by introspection. For that, I was wrong and I will be mindful of this failure for many years to come. I did indeed give her the highest ratings on her November 2017 OER. As AR 600-100 states, toxic self-centered abusers are usually bright and energetic, goal-oriented, and boss-focused, and they are capable of producing spectacular short-term results. In fact, her spectacular short-term results were noted in both her first OER and also in the AR 15-6 investigation. The description of a toxic leader in the AR also perfectly describes COL Spletstoser. Her nature and spectacular results as CAG Director hid her true nature from me, but I still should have seen it sooner. In the end, she was shown to be an "arrogant, abusive, intemperate, distrusting, and irascible" person never burdened by introspection, exactly as laid out in the AR. Her behavior since she was relieved of her duties as CAG Director adds to the proof of her toxic nature. I acknowledge this error. COL Spletstoser, however, continues to deny any personal responsibility in her own downfall and instead projects her deficiencies onto others. She has proven to me, time and time again over the past several months that she has earned, and deserves, her two GOMORs and Relief-for-Cause OER."

2-101 On 8 Jul 19, SUBJECT's Area Defense Counsel, Lt Col (b)(6);(b)(7)(C) Chief Circuit Defense Counsel -- Central, Air Force Legal Operations Agency, JBSA-Randolph, TX, provided AFOSI with a statement from SUBJECT (Exhibit 62) wherein he stated his relationship with VICTIM was entirely professional, was in line with a proper supervisor-subordinate relationship, and was never inappropriate in any way. He went on to state while he was aware of VICTIM's potential toxicity following the preliminary inquiry, he was committed to taking no action until the conclusion of the AR 15-6 and continued to support finding her a follow-on assignment while the investigation was ongoing.

EXHIBITS

The following items are appended to this report (cross-referenced):

55. E-Mail Correspondence from SUBJECT, Advocating for VICTIM (ref para 2-100)
56. E-Mail from VICTIM to SUBJECT Regarding Assignment Options (ref para 2-100)
57. (b)(6);(b)(7)(C)
58. E-Mail Chain Between SUBJECT and MG KARBLER Scheduling 15-6 Review (ref para 2-100)
59. VICTIM AR 15-6 Appeal (ref para 2-100)
60. Timeline - VICTIM Assignment Opportunity Advocacy (ref para 2-100)
61. CDR's MFR (ref para 2-100)
62. SUBJECT Statement (ref para 2-101)

3. AFOSI considers this matter completed. This is forwarded to your office for action. Please direct any questions regarding the associated investigative activities to SA (b)(6);(b)(7)(C) AFOSI Det 331, JBA, MD, at (b)(6);(b)(7)(C) or

(b)(6);(b)(7)(C)



FILE NUMBER 331-C-120AA4-13339191061020		AFOSI INVESTIGATIVE COMMUNICATION		DATE OF TRANSMITTAL 12 July 2019
TO Commander, Air Combat Command Joint Base Langley-Eustis, VA		FROM AFOSI Det 331, 1413 Arkansas Rd, Ste 320 Joint Base Andrews, MD		
SUBJECT Supplemental Investigative Activities; AFOSI Case File # 331-C-120AA4-13339191061020				
REFERENCES AFOSIMAN 71-121, para 7.13.2.1.				
<b>ITEM(S) CHECKED ARE APPLICABLE TO ABOVE SUBJECT</b>				
<input type="checkbox"/>	1. INVESTIGATION HAS BEEN INITIATED AND REPORTS WILL BE FORWARDED AS SOON AS POSSIBLE.			
<input checked="" type="checkbox"/>	2. THIS MATTER IS <input type="checkbox"/> PENDING <input checked="" type="checkbox"/> CLOSED			
<input type="checkbox"/>	3. REQUEST REPORT OF ACTION TAKEN (AFR 124-4).			
<input checked="" type="checkbox"/>	4. NOTE RESTRICTIVE LEGENDS ON FRONT OF THE ATTACHMENT(S).			
<input type="checkbox"/>	5. REQUEST INSTRUCTIONS AS TO DISPOSITION OF EVIDENCE LISTED BELOW.			
<input checked="" type="checkbox"/>	6. ATTACHED IS FORWARDED FOR <input type="checkbox"/> INFORMATION <input checked="" type="checkbox"/> ACTION			
<input checked="" type="checkbox"/>	7. INVESTIGATION/SUMMARY ATTACHED.			
<input type="checkbox"/>	8. REQUEST STATUS OF THIS MATTER AND/OR DATE REPORT MAY BE EXPECTED.			
<input checked="" type="checkbox"/>	9. REFER ATTACHED TO INTERESTED COMMANDER FOR INFORMATION OR ACTION IF NOT PREVIOUSLY REPORTED			
<input checked="" type="checkbox"/>	10. WHEN ATTACHMENT(S) IS/ARE REMOVED, THE CLASSIFICATION OF THIS CORRESPONDENCE WILL BE <input type="checkbox"/> RETAINED <input type="checkbox"/> DOWNGRADED TO <input type="checkbox"/> CANCELLED <input checked="" type="checkbox"/> MARKED "FOR OFFICIAL USE ONLY"			
REMARKS 1. In accordance with AFOSIMAN 71-121, Processing and Reporting Investigative Matters, paragraph 7.13.2.1., AFOSI is providing the following investigative information from AFOSI investigation 331-C-120AA4-13339191061020. This AFOSI investigative communication is being provided in lieu of a supplemental report of investigation (ROI), however this information should be reviewed in concert with the ROI signed 23 Jun 19 and the Supplemental Investigative Communication (AFOSI FM 158) signed 8 Jul 19. Should any action be taken as a result of this information, Action Authority or designee must report to AFOSI all dispositions on investigated offenses and specifications (AFI 71-101, Volume 1).  Matter Investigated: Abusive Sexual Contact, Violation of Article 120, UCMJ  SUBJECT: JOHN EARL HYTEN; Male Born: (b)(6);(b)(7)(C) O-10; SSN: (b)(6);(b)(7)(C) US Strategic Command (USSTRATCOM), Offutt AFB, NE  VICTIM: KATHRYN ANN SPLETSTOSER; Female Born: (b)(6);(b)(7)(C) O-6; SSN: (b)(6);(b)(7)(C) Defense Threat Reduction Agency (DOD), Fort Belvoir, VA				
NAME, GRADE, TITLE, AND SIGNATURE (b)(6);(b)(7)(C) SA, USAF Commander, AFOSI Det 331 (b)(6);(b)(7)(C)		ATTACHMENT(S)  Exhibits attached as listed.		COPIES TO:  ACC/JA (Info); SAF/IG (Info); File

(continued...)

2. The following additional investigative activities were conducted, in continued paragraph order:

2-102 On 11 Jul 19, SA (b)(6);(b)(7)(C) conducted a telephonic interview of Admiral CECIL D. HANEY, US Navy (retired), who was the commander of USSTRATCOM from November 2013 - November 2016, and who was succeeded by SUBJECT. ADM HANEY stated he was looking to change the USSTRATCOM Commander's Action Group (CAG) because he considered it too reactive, typically waiting for input rather than driving change. ADM HANEY interviewed a number of officers to become the CAG director, both internal and external to USSTRATCOM. He elected to hire VICTIM as the CAG Director because she interviewed well, had a strong resume and endorsements, and was an Army strategist who thought differently about issues. ADM HANEY saw VICTIM as one of the "big brain people." ADM HANEY also wanted to maintain a balance of representation from each of the services as it was a joint command, so selecting an Army officer for the position was a bonus. ADM HANEY stated he needed VICTIM to be aggressive, and that "she stepped on a lot of toes" in the process to bring about positive change in the CAG. ADM HANEY noted there was a lot of resistance to change from other USSTRATCOM staff elements. VICTIM was a quick learner and was willing to "tell him like it was," which ADM HANEY appreciated. VICTIM travelled regularly with ADM HANEY, but not on every trip. Normally, VICTIM would travel if he was making a speech as the speech writer was also in the CAG. ADM HANEY stated he saw no indication VICTIM was toxic, but noted he may have been shielded from those sorts of issues by his then Executive Officer, COL

(b)(6);(b)(7)(C) ADM HANEY did not socialize with VICTIM. VICTIM had contacted ADM HANEY once after he retired and departed USSTRATCOM via e-mail (Exhibit 63), where she informed him of her relief and that she was going through an appeal process to have the derogatory information removed from her record. In the e-mail, dated 7 Jan 19, she wrote, "I am struggling with what happened b/c [SUBJECT] and I were professionally very close and that betrayal really hurts on a personal level. I have a strong faith because I have been through far worse in life and combat but I really don't understand why I was made the scapegoat and probably never will which is disappointing." In addition, ADM HANEY wrote to AFOSI on 11 Jul 19, "Finally I am torn by the news you [AFOSI] referred me to as I retired with a deep respect for both individuals and would find the story regarding [SUBJECT]'s alleged behavior not believable. That would seem to be totally out of his character."

2-103 On 12 Jul 19, SA (b)(6);(b)(7)(C) conducted a telephonic interview of MG DANIEL L. KARBLER, Chief of Staff, US Strategic Command (USSTRATCOM), Offutt AFB (OAFB), NE. MG KARBLER stated he initiated the Preliminary Inquiry (PI) on 22 Nov 17 to assess the workplace climate in the Special Command Staff sections, which included the Senior level leadership, Joint Staff, Protocol, Staff Judge Advocate (SJA), Chaplain, Historian, and Commander Action Group (CAG) sections. MG KARBLER stated multiple individuals on the USSTRATCOM staff (Agent Note - MG KARBLER could not recall which specific individuals) had voiced concerns regarding VICTIM's leadership and behavior to MG KARBLER and SUBJECT in approximately September - October 2017. After hearing complaints extending over 30 days, MG KARBLER stated he felt the matter should be further investigated, and so he decided to initiate a PI. SUBJECT concurred with MG KARBLER's decision to initiate the inquiry. While the PI was initiated based upon concerns that VICTIM was a toxic leader, MG KARBLER stated that he wanted to assess the climate of the entire staff, and not focus the PI on one individual. MG KARBLER appointed BG CHRISTOPHER COFFELT, then USSTRATCOM, OAFB, NE, to conduct the PI. On 22 Dec 17, MG KARBLER received the results of the PI, which indicated VICTIM was a toxic leader; IAW AR 15-6, para 4-3b, Adverse Finding, "If the preliminary inquiry contains adverse information regarding a field grade officer, an administrative investigation must be conducted under the provisions of this regulation... The approval authority need not refer the preliminary inquiry to the field grade officer." MG KARBLER then spoke with SUBJECT and the AR 15-6 was formally initiated on 11 Jan 18.

2-104 On 12 Jul 19, SA (b)(6);(b)(7)(C) conducted a telephonic interview of Civ (b)(6);(b)(7)(C) (b)(6);(b)(7)(C) USSTRATCOM, OAFB, NE. (b)(6);(b)(7)(C) stated in the month of September 2017, sometime after the 18th of September, she approached SUBJECT for a one-on-one meeting concerning VICTIM's toxic behavior. (b)(6);(b)(7)(C) took issue with VICTIM becoming belligerent using offensive language toward personnel. SUBJECT listened, but challenged (b)(6);(b)(7)(C) on her thoughts regarding VICTIM, which made (b)(6);(b)(7)(C) depart the meeting feeling hesitant that action would occur. However, SUBJECT called (b)(6);(b)(7)(C) back into his office moments later and acknowledged how she felt about VICTIM's toxic leadership but did not make any comments regarding his intent to take any action towards VICTIM. (b)(6);(b)(7)(C) knew of no one else who spoke to SUBJECT regarding VICTIM's toxicity. (b)(6);(b)(7)(C) heard Lt Col (b)(6);(b)(7)(C) 306 Operations Support Squadron, USAFA, CO, Civ (b)(6);(b)(7)(C) Travel Planner, USSTRATCOM, OAFB, NE, Civ (b)(6);(b)(7)(C) then USSTRATCOM Executive Planner, OAFB, NE, and SUBJECT's then Aide de Camp, Maj (b)(6);(b)(7)(C) Air Force Legislative Fellow, Washington DC, spoke with MG KARBLER regarding VICTIM's toxicity. (b)(6);(b)(7)(C) had no knowledge of their specific discussions with MG KARBLER. While (b)(6);(b)(7)(C) could not be sure exactly what precipitated the PI, (b)(6);(b)(7)(C) stated she had been acquainted with SUBJECT since 2005 and felt this trust over the years was partially the reason behind SUBJECT moving forward with the inquiry.

EXHIBITS

The following items are appended to this report (cross-referenced):

63. VICTIM E-Mail to ADM HANEY (ref para 2-102)

3. AFOSI considers this matter completed. This is forwarded to your office for action. Please direct any questions regarding the associated investigative activities to SA [b](6);(b)(7)(C)] AFOSI Det 331, JBA, MD, at [b](6);(b)(7)(C)] or [b](6);(b)(7)(C)]