

WITNESS STATEMENT

██████████ ██████████ ██████████
Name Rank/Rate SSN

MSRON 12 ██████████ BOAT CREW
Command Department/Division

Fujairah Jeb Ali
Location for next 30 days Phone

I, ██████████ hereby make the following statement:

I had an odd roommate in Sep 12 after being mobilized. She was on Skype very night at 3am. She would put the camera in my face while I was sleeping. It went on for a week and a half. She would say creepy things. She said she was on medication. ██████████ is her name - she is a lesbian. Bottom line - she was very weird. Thus, I went to my Chiefs/Senior Chiefs and asked to move my room. Finally, I was referred to ██████████ and explained to her why I wanted a new roommate - the weird behavior. ██████████ said that I needed to sit down with her and explain I why I was having problems with her - talk it out. I did not want to, but tried to explain it to her. ██████████ had put out the word that she needed to try to resolve the issue before she was moved to a new room. I do not think master Chief likes me - I believe other sailors had their rooms changed without having to take such measures. After I tried to talk to my roommate, my room was changed and it was fine.

I needed rides to work, and ██████████ had a car. I took rides to work with him and one or two other people. I believe that ██████████ started the false rumor that I had "hooked up" with ██████████. I denied it to her when she asked me about it. About three days later, I started hearing jokes about myself and ██████████.

██████████, apparently in trying to address the rumors, had a 3rd Class come to me (██████████), I think because she and ██████████ are friends. ██████████ told ██████████ to go tell me that the command was aware of issues with her and ██████████ and that there would be an investigation. ██████████ did so, and I was embarrassed. Then I went ██████████'s office to speak with him. He apologized for sending ██████████, and that the person who he sent should have been a Second Class. I agreed with that. ██████████ then said "are you aware you could be processed under the UCMJ." He said that perception is reality with me and ██████████ and that an investigation would be started. He then started giving me a lecture about people doing things wrong, which offended me, because I had not done anything wrong. ██████████ also got angry about the sequence of events and talked to ██████████ about it. Nobody ever talked to me about any investigation.

Since then, I have felt like a target, like whenever something wrong happens, I was look at as being at fault. I talked the MSRON 12 CMEO and she gave me my options. Later the CMEO told me she had talked to ██████████ and said ██████████ was not angry at me.

Later, I got word that [REDACTED] had an issue with the color of my hair and I was asked to change the color. I did not agree, and at this point, the issue has been dropped.

Later, while I was in the gym, since we have deployed to Jeb Ali, [REDACTED] came up to awkwardly and said that although I was under investigation, he liked me and also said he did not have an issue with my hair.

I never made a formal CMEO complaint.

About a week or two ago, I talked CAPT Hunter alone - it made me a little nervous. He asked about the situation and whether it had been resolved. I told CAPT Hunter that I did not have much to say to him. He then asked me some questions. He asked me how I thought the situation was handled with [REDACTED]. I told CAPT Hunter that I thought the way the situation was handled resulted in my reputation/character being unfairly damaged.

I was never called a "slut" or anything of that nature. However, because of the situation, I have been approached by guys more often. I do not feel comfortable with [REDACTED] to this date and avoid him.

After the allegation of fraternization between myself and [REDACTED], I was pulled from Fuj. I now work at Fuj and they have put me in a room near [REDACTED]'s room, which makes me more uncomfortable.

[REDACTED] invited [REDACTED] his room by text to drink, one time.

I have not filed a complaint to date.

I think that command climate at this command at MSRON 12, and everyone I work with feels the same way. It always goes back to the CO and CMC - e.g., "the CO and the CMC said..."

I swear (or affirm) that the information in the statement above is true to my knowledge or belief.

[REDACTED] _____
31 JAN 13
Date

Sworn to before me this date.

[REDACTED] _____
31 JAN 13
Date

9 Feb 13

Summary of Interview with [REDACTED]

On 9 Feb 13, at around 0024 EST, a phone interview was conducted with [REDACTED] of MSRON 12. The results of that interview are below:

I was approached by several sailors in October 2012 after [REDACTED] told his crew not to screw up his 96-hour liberty so that he could spend time with his family. I never actually spoke to [REDACTED] about it, but referred the matter to [REDACTED]. I did hear through other sailors that he apologized for saying those remarks.

Things seem to be going better recently in regards to the command. I was the Watchbill coordinator before we came to UAE. There were 43 revisions before we arrived in UAE, and more revisions after we arrived. Whenever we corrected something, there would be a new target. Since the IG investigation started, it has become much easier for me to adjust the watch bill.

Command Climate: it has been terrible since the middle of September. Morale is extremely with many of our members. In recent days it has gotten better, but there are still a great majority of Chiefs who would say the command climate is not good. I have different mindset, we are here for a mission and we need to focus on that. I am a Section Leader, and do everything I can to keep morale up, but if morale is low, it can make the mission harder.

Whether or not factually, there is still a perceived difference in treatment between FTS and SELRES, particularly in regards to discipline.

In Annapolis, in mid-2011, I heard what happened with trailer without a wheel being moved, after the fact. The rear axle on the back of that trailer, a triple-axle trailer, is not a load-bearing axle. By design, the trailer has the ability to carry a boat without that rear axle. If I had been there, I would have done what they did – put the boat in the water and fixed the trailer – at that time, there were no boat jacks in Annapolis to lift the boat off the trailer. If they made any mistake, it was not reporting ahead of time that they were going to move the trailer without a wheel on it in order to repair it.

I have been in the hallway, during morning meetings, with multiple Chiefs, and heard people be severely be dressed down. I heard the conversation with [REDACTED], in which the CO said, “dammit – you are going to listen to me, don’t look things up, just do what I say, if you do not listen to me, this is going to be a long deployment.”

I have no issues with [REDACTED] or the XO.

I have heard of no racial or sexual discrimination in the command, other than the [REDACTED] issue. He came to me asked me for advice in November in Williamsburg. I told him that if this bothering you, you should do something - report it. He seemed genuinely upset.

[REDACTED]: in Oct/Nov '12, I needed to confirm his AMS quals, and found that all of ASM quals had been put in by the same person and approved by the same person (in Sep 12), with no supporting documentation. I brought it up to my [REDACTED], but I never heard anything back. I feel that he is competent to stand watch as a boat engineer, but I am not sure if his PQS was done correctly.

[REDACTED] came to me about her issues with [REDACTED]. I told her that if she wanted to file complaint, she could go to the CMEO.

From Jan'12 to Apr '12, it was a huge challenge because all of the boats of Dets were pulled to HQ and to get enough personnel to MSRON 12 to do maintenance during that time frame was difficult. I think MSRON 12 made the wrong call on pull all boats to Williamsburg – we all voiced our concerns as Chiefs regarding this. We could not qualify personnel during that time because we did not have the boats to do it, and this ultimately hurt mission readiness.

I am aware of a fuel spill that took place in May. My personnel from the Det were there. I believe that the May spill was 15 gallons, in the BMF compound. I was not there, but my understanding, they were doing some maintenance, and probably, there was bilge plug in the boat and it spilled out. I know there was some sort of command-level investigation, but I was not interviewed. I do not think the Det personnel had sufficient training to handle a fuel spill, which the fault of leadership, and given equipage problems we were having then, I would not be surprised if there was no fuel spill kit on the boat.

Regarding the Oct '12 incident with the radio being left on the boat, I do not believe the radio had actual crypto on it, but instead dummy material, but I was not there firsthand and am not an N6 expert.

During the crew confirmation brief for ULTRA-FEP brief, the slides said no outside food, but the CO verbally told the command during the brief that they could have outside snacks during the ULTRA-FEP, but they had to have packed it themselves. I think my sailors were technically wrong to buy things at the Marina, because they did not pack it, but it should have been handled at a lower level in my opinion and the CO should not have been involved.

During ULTRA I, myself and [REDACTED] were charged with fixing boats. There was stress about getting the boats underway. [REDACTED] told one of Shively's sailors who was sitting own to get back to work. An argument ensued between [REDACTED] and [REDACTED], behind a building, and [REDACTED] did dress [REDACTED] down. In my opinion, Ruela was not in the wrong. Then [REDACTED] left and went back to the campsite.

In short, there was and still is a perception that Chiefs everywhere are being treated as E-6s, not Chiefs. We do not have the normal power of Chiefs.



9 Feb 2013

Date: 23 November 2012

MEMORANDUM FOR THE RECORD

Subj: MEMORANDUM FOR THE RECORD

1. Spoke with [REDACTED] to follow up on whether she would like to submit a formal complaint regarding the [REDACTED] comments. [REDACTED] stated that she just wanted to put this behind her and did not want to make this type of attention on her. She felt concern for her family and did not want any negativity between her spouse while deployed.
 2. I recommended a possible third party confrontation with the [REDACTED] when she felt comfortable.
 3. Follow up MEMO is expected.
- [REDACTED]

Enclosure (48)

Hunter, David P CAPT MAREXSECRON TWELVE, N00

From: [REDACTED]

Sent: Thu 12/20/2012 18:55

To: Hunter, David P CAPT USN CTG-56.7 DET JEB

Cc:

Subject: CMEO Update

Attachments:

Good Morning CO,

I wanted to follow up with the meeting of [REDACTED] and [REDACTED]. [REDACTED] does not want to meet with regards to her prior complaints. [REDACTED] would like to close this out and move on. She never submitted a formal complaint and requested her information remain informal respectfully.

[REDACTED] on the other hand would like to meet with you discuss the situation. I am coordinating with [REDACTED] for a time in your schedule.

Thank you for your time,
V/R,

[REDACTED]

Enclosure (4)

From: [REDACTED]

Sent: Monday, January 07, 2013 7:04 PM

To: [REDACTED]

Cc: [REDACTED]

Subject: Update

[REDACTED],

Just wanted to touch bases with you. In the last update you sent you mentioned that the CO was going to talk with each of the Sailors affected. Is there any outcome from that? Were they all satisfied or did any of them want to push forward with a formal complaint?

R,

[REDACTED]

Enclosure (50)



DEPARTMENT OF THE NAVY
MARITIME EXPEDITIONARY SECURITY SQUADRON TWELVE
113 SANDA AVE
WILLIAMSBURG VA 23185-5830

8 JAN 13

MEMORANDUM FOR THE RECORD

Subj: MEETING WITH [REDACTED]

1. I held a meeting in the CO/XO trailer with [REDACTED] to ensure that her informal complaint against [REDACTED] was resolved to her satisfaction. I asked the SSO, [REDACTED] to have her come to my office.
2. The purpose of the meeting was to understand directly from [REDACTED] if she was satisfied with how the command had dealt with her informal complaint that she brought forth to the CEMO after an anonymous call had been made to the NECC IG that included an issue that she had felt was inappropriate. Based upon discussions by my CEMO had with [REDACTED], [REDACTED] indicated that she never intended for the complaint to be submitted. She had relayed that she felt CMDCM did not like her.
3. I started by thanking her and informing her why I wanted to see her. I explained that I wanted to ensure that she was satisfied that the command had addressed the issues she discussed with the CEMEO. I explained that I had heard that she was, but I was following up because someone had relayed to me that she was not.
4. I asked her to explain what was happened. She was emotional as she explained that she felt she was accused of having relations with another member, a friend, in the command. She explained that she was told by another member of the command in CAX and she felt it was inappropriate.
5. She explained that she had had some other Sailors give her a nickname, I don't recall it exactly, that indicated that she was available to have relations with others. I asked if she had brought this to anyone's attention or she wanted me to address it as I said that was inappropriate and we need to have it stop immediately. She explained that she had taken care of it and it was no longer occurring.
6. I asked her to continue and she explained that she was concerned that if she did bring something up against [REDACTED] that there would be reprisals. I explained to her that it would not be tolerated, no matter who it was. She said she did not want to get anyone in trouble and that things were okay now.
7. I asked her several times if she was satisfied with the outcome and if there was any continuing inappropriate behavior

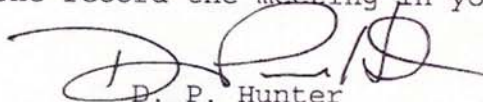
Enclosure (51)

going on. She replied no. I asked her if she was satisfied with how the command has handled the issue and she said yes.

8. I explained that no matter whom it is, inappropriate behavior or harassment would not be tolerated in the command. I reassured her that if she sensed any retaliation or felt that she was being harassed, she should come and tell me directly or the CEMO.

9. After about 30 minutes or so, she was composed and she thanked me and left.

10. After the meeting I explained the results to my CEMO, [REDACTED] and asked that she record the meeting in your files.



D. P. Hunter
CAPT, USN

12 Feb 13

Summary Interview with [REDACTED]

On 12 Feb 13, at around 0100 EST, a phone interview was conducted with [REDACTED] MSRON 12. The results of that interview are below:

I have been in the Navy about 19 years. I am a SELRES. I have been with MSRON 12 since it was created in June 2010.

I am having a good deployment. I am landside security in Fujairah. The command climate here is not bad, I have a good crew here. I do not have much interaction with CAPT Hunter, but I cannot say that it has been positive. When I signed my most recent EVAL with him, he did not want to talk to me about it, but just wanted me to sign it. One of the worst EVAL debriefs I have ever had. He is not approachable and does not give useful advice, and I think a lot of people feel the same. As far as [REDACTED], I have heard him make comments sailors that I do not think are appropriate – like telling sailors to get the “fuck out of his office” and “shut the fuck up” – even if he is joking, it is a bad perception.

As far as fuel spills go, I heard of one in October, a small one to my understanding, but I do not have firsthand knowledge. I do not have much knowledge of [REDACTED], but I think he made some mistakes.

[REDACTED]

Enclosure 52

SUMMARY OF INTERVIEW

0945 JBA

At 0945 on 5 FEB 2013 I conducted a phone interview with [REDACTED], MSRON 12, [REDACTED] regarding alleged comments from [REDACTED] to [REDACTED] during a Career Development Board in September-October 2012.

The below is a summary of the interview and is accurate to the best of my knowledge.

I was at a Career Development Board and as it was coming to an end, [REDACTED] said "GTFO." I did not know what this meant, and he said, "That means GTFO – Get the Fuck Out. Now go become a first class." I think this was inappropriate, my entire chain of command was present during the CDB. I did not know [REDACTED] very well at the time and was unsure how to take the comment.

Once we were taking a test [REDACTED] came in late and I went up to [REDACTED] to get her a copy of the exam. He said: "Why the fuck is she late?" and that came across as very inappropriate to me.

[REDACTED] does other inappropriate things. During the wake-up PT, I notice [REDACTED] interacts with the females in an inappropriate way. One day during jumping jacks, [REDACTED] seemed to be getting closer and closer to [REDACTED]. I wondered why would they be doing that? It seemed obvious that it was inappropriate. He "chest bumped" her at one point during the jumping jacks. She played it off as, it is [REDACTED] that is just how he acts.

[REDACTED]

5 Feb 2013
5 FEB 2013

Enclosure (53)

SUMMARY OF INTERVIEW

At 0930 on 5 FEB 2013 I conducted a phone interview with [REDACTED], MSRON 12 Security Department, [REDACTED] regarding alleged comments from [REDACTED] to [REDACTED], in October 2012.

The below is a summary of the interview and is accurate to the best of my knowledge.

[REDACTED] did not say: "I see you like nuts in your mouth." What he did say to me was: "Would you like some nuts?" I replied sure, and he then said: "They may be salty, they've been in my pocket all day."

I did not find this sexually suggestive or inappropriate. In fact, it may have been a joke about "navy saltiness", i.e. a long amount of sea time.

He is a joker, and sometimes says things in humor, but he is professional and never is inappropriate to me personally.

I have not heard any rumors regarding him [REDACTED] having an inappropriate relationship with anyone at the command.

[REDACTED]

5 FEB 2013
5 FEB 2013

Enclosure (54)

SUMMARY OF INTERVIEW

At 0945 on 5 FEB 2013 I conducted a phone interview with [REDACTED] MSRON 12 N1, [REDACTED] [REDACTED] regarding alleged comments from [REDACTED] to [REDACTED] in September 2012.

The below is a summary of the interview and is accurate to the best of my knowledge.

[REDACTED] never said to me "I like my coffee black like my women." He has never said anything that I would consider sexually discriminatory or racially discriminatory. I have also never overheard him saying a comment like this to anyone I know or work with.

My relationship with him is professional and he is a person I respect and enjoy working with.

[REDACTED]

5 Feb 2013
5 FEB 2013

Enclosure (55)

█, and I have owned the IPHONE since January 2012. I received the IPHONE from Shenandoah University. I recorded it because I was scared to talk to him alone and worried about retribution. I was also worried because nothing had been done and I was worried that nothing would be done.

After the conversation, despite the CAPT Hunter's assurances that the CMEO would follow-up with me on my formal complaint, she did not, saying it was informal. I gave up at that point.

Religious Services: It has been resolved at this point. The command transports me to services in town when I put in a chit and allows me to attend with a liberty buddy.

I swear (or affirm) that the information in the statement above is true to my knowledge or belief.

█

Feb 2, 13
Date

Sworn to before me this date.

█

Feb 2, 2013
Date

[REDACTED]

From: [REDACTED]
Sent: Sunday, February 03, 2013 6:42
To: [REDACTED]
Subject: Fwd: EO issue in Navy

Good Afternoon Sir,

This is a copy of my another email that I sent out to Federal Government EO.

V/r
[REDACTED]

----- Forwarded message -----

From: [REDACTED]
Date: Fri, Dec 14, 2012 at 4:57 PM
Subject: EO issue in Navy
To: [REDACTED]

Dear Sir/Ma'am

I would like to file a formal grievance complaint against [REDACTED] of MSRON 12 ([REDACTED]) currently deployed to UAE for making racist remarks against my wife and myself on two different occasions. The first remark was made during January drill weekend when he made fun of my accent and asked me that if I took an English proficiency exam before joining the navy. When I replied yes to that answer [REDACTED] next remark was on the line of it didn't seem like it feel like they let anybody join military these days. This happened when at first introduced myself to [REDACTED] for the first time in the building 113 where I was waiting in line to fill up some paper work for deployment. After the incident I was approached by few sailors to file a formal complaint but I decided not to as I was new to the navy and wasn't aware of the seriousness of the matter. If I would have filed a complaint during that incidence this next incidence probably would have never happened.

The second remark was made during the Carrier development board. The carrier development board took place on October 19th 2012 at 0900 in the presence of [REDACTED] and [REDACTED] in [REDACTED] office back in Williamsburg during deployment work ups. [REDACTED] behavior during carrier development board was totally unprofessional and profanity was used during the board despite of the seriousness of the official military board being conducted. During the board I was asked by [REDACTED] if I was married and I answered "Yes". The next question was if she was from here (States) or from a same country as I was and I answered "Yes". The third question was about her profession and I answered that "She is a nurse". The fourth question was about what is she doing these days as I am not with her due to the Mob/deployment and my answer was "She is flying to England to visit her sister for next few days". After hearing that question the next words that [REDACTED] said were "Is your wife a terrorist". These words took me by a surprise and I was in shock. I would have never thought that my wife would be racially profiled due to our skin color. I was first pleased when [REDACTED] started asking me question about my wife even it has nothing to do with my carrier, but it made me believe that [REDACTED] is leader who want to know about his sailors personally, but I wasn't sure if he was leaning toward racially profiling myself and my wife with those questions.

After the incidence, I was approached by [REDACTED] to talk about this. As per his defense he was joking and was trying to keep the command's moral up, but I am not sure how is this supposed to keep the command morals up.

Few days ago I was approached by [REDACTED] command EO personal, regarding this matter and in the informal meeting she handed me the paper work to make a formal complaint against [REDACTED]. I filled out the paper work and turned it into her and as per her CO will look into it and take necessary actions. Few days ago I received a text from [REDACTED] that the investigation has been done and soon she knows about the results she will let me know. But how can a formal investigation take place without anybody sitting with me filling paperwork on this or discussing other matters. Only section I filled in the paper was the complaint section, but the paper work had so many sections regarding the issue that I have been informed about my rights and other things.

I believe that my command is trying to suppress this matter as nobody in higher chain of command have talked to me regarding this matter or have addressed this matter. I believe after this incidence my carrier is going to be on stake with this unit as somebody higher up in the chain is involved.

When I took an oath to join the navy I was told that we are all equal. His comments made me feel like I am not wanted in the Navy and most importantly in MSRON 12 under his leadership due to my skin color. I would like this incidence to be formally investigated and for your office to take necessary action against [REDACTED] so nobody has to be racially profiled due to their skin color. I would also like to have a command climate survey so Navy and your office can understand the seriousness of this matter.

Thank you

[REDACTED]

From: [REDACTED]
Sent: Sunday, February 03, 2013 6:42
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V/r
[REDACTED]

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To: of0.eeoc@eeoc.gov

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Thank you

WITNESS STATEMENT

[Redacted] Rank/Rate [Redacted] SSN [Redacted]
 Name Rank/Rate SSN
 MSRON 12 Boat Engineer
 Command Department/Division
 Jeb Ali [Redacted]
 Location for next 30 days Phone

I have provided a copy of the recording of my conversati regarding my formal EO complaint to [Redacted] Officer, on his computer (it was played and recorded int [Redacted] on the evening 2 Feb 13).

Additional matters:

I never agreed with the CMEO or anyone else that I was f: complaint, at any time. I was not satisfied with the sup put forth by CAPT Hunter at our meeting. The CO told me after the meeting. I called her to finish the paperwork, was informal and there was nothing else to sign.

After an incident involving my roommates was late Decembe command started calling me "Blue Falcon" because I had ma about my roommates, who brought what I believe to be pros rooms. Since then, those comments have stopped - they ha my leadership.

Initialed by

I swear (or affirm) that the information in the statement above is true to my knowledge or belief.

[Redacted Signature]

3 FEB 13
Date

Sworn to before me this date.

[Redacted Signature]

3 Feb 13
Date

Enclosure (5)

10 Feb 13

To: [REDACTED], USN

From: [REDACTED], USN

Subj: [REDACTED] interview with CAPT Hunter, CO, MSRON 12

The following is a transcription of a recording of a conversation made by [REDACTED] on his cell phone, between CAPT Hunter and [REDACTED] - the recording was originally made on 24 December 2012-

CAPT Hunter: [REDACTED], come on in and have a seat.

[REDACTED]: Thank you.

CAPT Hunter: I wanted to talk to you about the um, the inappropriate conversation that I guess [REDACTED] had with you, and I want to just run past you what's been going on and some of the things that were done, and I just (want to) make sure you to understand the things that we have done.

[REDACTED]: Yes, Sir.

CAPT Hunter: And it's okay, right? I'm not going to rehash every little thing that you have talked to various folks about, so I'm not going to ask you to go through that again, but, I do want you to know that that it's not appropriate.

[REDACTED]: Yes, Sir.

CAPT Hunter: And um, I want to walk through the various comments that I guess he asked at DRB.

[REDACTED]: Yes, Sir.

CAPT Hunter: Things like that are not appropriate and as result of that [REDACTED] will be formally counseled in an appropriate way, so this will not be pushed under the rug, it's something that I have talked to my boss about it .

[REDACTED]: Yes, Sir.

1

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Enclosure (58)

CAPT Hunter: And I have gone and looked around and around it routinely on this issue. So, I want to make sure that we are looking at it from every aspect and we are doing the correct thing. That's what I wanted to talk to you about and that's was going on. And also if you did, or if do have any issues in the future in regards to this, if you feel that you are being retaliated...

██████████ Yes, Sir.

CAPT Hunter: ...retaliated against, if you are worried about somebody at the command is using it against you or anything like that, I want you to come and I want you to come and tell me.

██████████: Yes, Sir.

CAPT Hunter: Because that is not appropriate.

██████████: Yes, Sir.

CAPT Hunter: That's not the Navy I live and that's not what we do.

██████████: Yes, Sir.

CAPT Hunter: One second part is, people, I believe that people are uh, are uh, what's the right word, people held accountable for what they do.

██████████: Yes, Sir

CAPT Hunter: Okay, and they deserve a second chance. Right? And so, you know, I'm not going to tell you how to feel.

██████████: Yes, Sir.

CAPT Hunter: Okay? I can't, I'm not you, I make no bones about trying to put myself in your place. Right?

██████████: Yes, Sir.

CAPT Hunter: You are going to feel the way you feel. All I can tell you is that it was inappropriate and should not have happened. That's not the Navy I exists in.

██████████: Yes, Sir.

CAPT Hunter: Okay. And that's not the Navy you live in and that should

not have happened. If it does happen again, I expect you to let me know.

[REDACTED]: Yes, Sir.

CAPT Hunter: If it does happen to come up again, then please bring it up, and we will address it. Okay,

[REDACTED]: Yes, Sir.

CAPT Hunter: (inaudible) Does that sound good?

[REDACTED]: Yes, Sir.

CAPT Hunter: Is that to your satisfaction? I'm mean, you can say no. Don't be, by all means, you can say no.

[REDACTED]: The only problem I had when the investigation was going on I was never given an advocate, and I filled out a formal grievance with [REDACTED]

CAPT Hunter: You did a what?

[REDACTED]: I filled out a formal grievance.

CAPT Hunter: Okay, let's talk about that.

[REDACTED]: Yes, Sir.

CAPT Hunter: I have e-mails.

[REDACTED]: Yes sir.

CAPT Hunter: And so when you were given, let see, again that's why we (are here) to talk. To find out and making sure (of) everything that is going on. Okay, to [REDACTED] I understand you are going to try to resolve this complaint without a formal complaint. I will make a memorandum for the record that he did not submit one, and he is using the informal resolution system, is that true?

[REDACTED]: She gave me a form, a formal grievance form, which was the formal grievance form and I filled it out. And she asked me if I wanted to file a formal grievance complaint, and I said, "Yes". So and ...

CAPT Hunter: Okay.

[REDACTED]: So, I gave it to her and she would turn it to you. She said "do I want to file a formal grievance form?" and I said, "Yes, I want it." The same day I was given a formal grievance form, which on the formal grievance form and the second page I filled out, signed it and turned it in to her. She said the CO is going to look at it. And then three, or between two or three weeks later... IT1 said the investigation had been done and the results would be made available to you one day, whenever she finds out. Then I get a call from her two or three days later when you were in Kuwait, and Chief said here [REDACTED] said the CO would want to talk to you, but you were not even here, so we will set up a meeting. But, I did fill out a formal grievance form.

CAPT Hunter: Did you talk to (inaudible)? Making sure we were to meeting your needs. Formal grievance complaint against [REDACTED] for making racist remarks on two different occasions. That first remark was made during January during a drill weekend, blah blah blah he said some inappropriate things. I just didn't want to rehash the old things.

[REDACTED]: Yes, Sir. I know.

CAPT Hunter: I'm sure you did. Okay, so Uh, uh, Uh, The second remark was made during the board. This is your formal complaint, right?

[REDACTED]: Yes, Sir.

CAPT Hunter: I just want to make sure we are on the same page here. I have [REDACTED]'s complaint on file. Alright? And then on 5 December, IT1 asked if wanted, if you were okay, if the command had taken care of it. Your answer was yes.

[REDACTED]: Yes, I don't want to go.

CAPT Hunter: That is your choice, okay? The command did do an investigation, and we did find that he said those things

[REDACTED]: Yes, Sir.

CAPT Hunter: Inappropriate, right?

[REDACTED]: Yes, Sir.

CAPT Hunter: And so as a result of that is he getting formal counseling and there are a few other things. Okay?

[REDACTED]: Yes, Sir.

CAPT Hunter: So, my question to you, does that meet your satisfaction? You can say no. Again, I mean this a pretty serious thing, right? So, if you don't believe that this meets your

[REDACTED]: Yes, Sir.

CAPT Hunter: Your grievance has been appropriately dealt with, okay, I want to keep going. I don't want to project things for you. Right?

[REDACTED]: Yes, Sir.

CAPT Hunter: I can't say that I'm satisfied because I'm not the one who was discriminated against.

[REDACTED]: Yes, Sir.

CAPT Hunter: You were, and so that's the result of my investigation and handling it inside and what I have looked at, and what I have seen, and other people have reviewed it.

[REDACTED]: Yes, Sir.

CAPT Hunter: And that is what kind of my resolution, but if you don't think that that's going to resolve the situation, then I need to know that and we will keep going.

[REDACTED]: I don't want any retaliation from anybody, I was just...

CAPT Hunter: If anyone retaliates against you, come to my office with that person. That is a bad, you just don't do that. You're doing the right thing.

[REDACTED]: Yes, Sir.

CAPT Hunter: You keep doing what I'm saying. You need to have the moral courage to come out and say "that is wrong."

[REDACTED]: I was told there was a formal grievance report form. So that wasn't a formal grievance?

CAPT Hunter: That was a formal grievance. You filed a formal grievance.

[REDACTED]: Yes, Sir. Shouldn't I get someone to talk to during that time, like an advocate or something?

CAPT Hunter: Why shouldn't you talk to IT1?

[REDACTED]: She is the command person, but...

CAPT Hunter: She is the Command Equal Opportunity. Would you like to talk to someone else?

[REDACTED]: (inaudible) given this opportunity, this is my issues.

CAPT Hunter: She is the person.

[REDACTED]: Okay.

CAPT Hunter: That is her job, her job is to represent you. She gets special training and things like that.

[REDACTED]: Yes, Sir.

CAPT Hunter: That's her job. So, I'm kind of confused, I'll go and look and ask. Were you given the impression by someone that you were supposed to get outside command counsel?

[REDACTED]: Someone (from) the Command goes on the formal grievance form and me and another person were going to have a talk, and never did have a formal setting talk or say. Then there is a spot that says were you assigned an advocate?

CAPT Hunter: Okay, she is your advocate. She is a First Class, okay I get it. Do you feel that she wasn't looking out for your best interest?

[REDACTED]: No, she was, but I also wasn't sure that she was my advocate because I didn't know ... she is the main person between the command and myself, and so she is not going to get involved, and she will do what is right.

CAPT Hunter: That is her job, as the Command Equal Opportunity, she is the person that is your advocate. Let me give you an example of the first one I've seen (inaudible)... and the CMEO is the advocate. Now, I will go back and talk and talk to IT1 and ask if she did everything that we were supposed to do.

[REDACTED]: Yes, Sir.

CAPT Hunter: So, my question to you is, do you feel that something was missed in this process? Or did someone tell you something that you know you are not being given all your rights and things that you deserve? Which could be true.

██████████: Yes, Sir.

CAPT Hunter: Okay, but if that is true, you got to tell me, that is your entitlement, I can't take that away. I want to make sure that get you what you are entitled to. So, I want to ask a simple of questions; So, one I will go find out that she is the Command Advocate that's her job, and she reports to no one but me. No one else at the command but me. ██████████ is not in that chain of command, no one but me, and that's it. It can be a stressful job, trust me. If you tell her something, then there is informal or formal, if it's informal then she will bring things up to me and says we have an issue here, we need to do this. If it's a formal thing, is there a process at the command that we can handle it at the command? Yes or no? If we can't, then we go to my boss and say, look we have an issue. She talks to the group advocate, the CMEO, they talk and then they also talked to NECC. I mean this has gone all the way up to NECC because that what is suppose to happen. We don't push it under the rug the whole process is.

██████████: I have a quick question, Sir. I'm sorry, Sir. If I had made the comments to someone in that same situation, what would you have done?

CAPT Hunter: The exact same thing.

██████████: I'm satisfied with that.

CAPT Hunter: I'll show you exactly what I wrote. I'll show you an e-mail. ██████████, this is what she told me of the thing, "██████████, thank you for the update. I was aware of the call to the IG and CMDRE Hamblet, and I discussed it briefly when you came by. I was not aware of all the details but since I got since I have got them and I'm concerned the comments if indeed were fixated by the Master Chief, and would like to understand the whole story to make sure we are dealing with any underlying issues as well as any unfair treatment that may be occurring. I know this is a senior command leader, but there should be no difference in expectations in the Sailors. You should always treat persons with the appropriate respect. I believe your approach is spot on, please let me know if you need any support to make the interviews occur, watch standing ect. I would like to get ahead of this quickly, so the Sailors know that I take their concerns seriously. As you investigate this, I'm interested in understanding how we can insure that our Sailors feel that they are not in a hostile environment. It doesn't matter."

██████████: Yes, Sir.

CAPT Hunter: They get the same treatment.

[REDACTED]: Yes, Sir. So, my written formal, my interview. There was not a person to person interview?

CAPT Hunter: We can talk about it again.

[REDACTED]: The problem I have with the formal complaint, she didn't hear my story in person.

CAPT Hunter: Okay.

[REDACTED] And all throughout the process. I'm not sure if [REDACTED], I don't know if she was ...

CAPT Hunter: We are only talking about yours.

[REDACTED]: Yes, Sir.

CAPT Hunter: Let's focus on yours.

[REDACTED]: Okay.

CAPT Hunter: She was there at the DRB, she was interviewed, we have statements from her, this wasn't just a, "hey what happened kind of thing?" All right? This has all be documented.

[REDACTED]: Yes, Sir.

CAPT Hunter: We interviewed. Who did we interview? We interviewed. That's a good question. Okay, okay, written statements, we have a statement, a verbal statement from a Chief, we have two chiefs, a written statement from another Chief, a written statement from a Second Class, you were a formal complaint, um, and here is the initial conversation that we had with people. Those were the people. Was there anybody else that you think was involved?

[REDACTED]: No, that was the main conversation, the first conversation we had was back in January, but it's too old for this.

CAPT Hunter: It's never too old.

[REDACTED]: The Chief that was involved with that one was kicked out.

CAPT Hunter: laughing

[REDACTED]: He was a Chief on base, and he was present at that moment and

he asked me if I want to file a complaint? I said..

CAPTH Hunter: A Chief?

[REDACTED]: Yes.

CAPT Hunter: Is this the Chief that kicked out of the Navy?

[REDACTED]: Yes, I'm totally forgot his name, I think [REDACTED] is aware of his name. Im not sure.

CAPT Hunter: [REDACTED]?

[REDACTED]: Yes, a Senior Chief?

CAPT Hunter: He was not a Senior Chief, and he was kicked out of the Navy.

[REDACTED]: Yes, he was here at the beginning of January. I was like should I put his name down? And they said he was getting kicked out of the Navy.

CAPT Hunter: We will find him. Again, I believe that was stated as well. Absolutely, I have no reason to doubt your statement. With all the statements and things like that, I have no reason to doubt that you are making that up. Okay?

[REDACTED]: Sorry, I would like to request one more thing.

CAPT Hunter: Keep going.

[REDACTED]: Sorry to request one more thing?

CAPT Hunter: Keep going.

[REDACTED]: Your job is way more important that mine. The results of that investigation, I want everybody at the command to know what happened, to know what the results were because...

CAPT Hunter: So, what do you mean?

[REDACTED]: I just want everybody to know that everybody has rights and people helped me out, but I know a lot of people have the same issues.

CAPT Hunter: Okay.

[REDACTED]: And then they don't bring them up because they are scared.

CAPT Hunter: Okay.

[REDACTED]: but, I just want to make sure they know.

CAPT Hunter: So, So. Okay, this is what we will do, we will hold additional training and things like that. Will I make it all public, all the facts and figures and stuff like that? Probably not.

[REDACTED]: Yes, Sir.

CAPT Hunter: Let me ask you this, do you think that's appropriate?

[REDACTED]: If I'm not wrong, I can (inaudible)

CAPT Hunter: Again, he is not being court-martialed.

[REDACTED]: Is it something that I can request Captain's Mast.

CAPT Hunter: You want to request Mast?

[REDACTED]: Yes. I have the right to request mast?

CAPT Hunter: You tell me what request mast is. You tell me this. How long have you been in [REDACTED]?

[REDACTED]: Two and half years.

CAPT Hunter: And where are you getting all this info?

[REDACTED]: I call people up, and I look things up online. There is an instruction that I read that says you can request mast and all that stuff.

CAPT Hunter: What is request mast?

[REDACTED]: I think it is not done correctly or I don't know.

CAPT Hunter: Your request for Mast, is your right to request to see me. That is request mast.

[REDACTED]: I was given the wrong information on that. On that, my fault.

CAPT Hunter: That's request mast, you always have a right to see me, that's actually directed by uh, by equal opportunity, one on harassment, one on safety, and a couple of others. If you have an issue, you have the right to request mast. That mast is the right to come see me in a formal setting. Your chain of command can't deny that, I can't deny that.

██████████: Yes, Sir.

CAPT Hunter: That's a formal thing that says if you want to see the Captain, you put a thing in, that says "I request mast." Mast means you come on up, close the door and tell me what's up. The only thing that I always ask is that you run it through the chain of command, and see if they can resolve your issue, that's fine. If they cannot or will not resolve it or refuse to, then you can request to come up and see me. That chit can't be denied. I'm the only one that can say, "no" on your chit. That is your right.

██████████: Yes, Sir.

CAPT Hunter: I'm the only one that can deny a chit. If you wanted to wear pink boots, or blue boots, or purple boots, or whatever.

██████████: The Captain can't do that?

CAPT Hunter: You can ask for it, right? If you put a chit in that says I think the command should be wearing blue boots. Okay, I respectfully request to that we be allowed to wear blue boots. I'm not just making this stuff up. You submit that through your chain of command, they can all say, "no, no, no, no". None of them can check that bottom box that says no, except me.

██████████: Yes, Sir

CAPT Hunter: Now for certain things, now there is an instruction about liberty and stuff like that says these are the people that can bottom line chits, ones that can approve chits. Say you have a---

██████████: Actually, I do have a question about it too, we have a church. My church is in tent city. And nobody else is willing to go with me because I'm Sihk.

CAPT Hunter: I'll go with you. I'm not kidding, I'll go with you.

██████████: They have service early in the morning, so nobody else will go.

CAPT Hunter: Put a chit in, there is no reason why you shouldn't be able to do that.

██████████: Nobody else will go with me to the metro stop. I'll put it up to the Chief.

CAPT Hunter: I'll come with you, that's your right. Don't let people take

your rights away.

[REDACTED]: Yes, Sir.

CAPT Hunter: That's what we are here for. We are fighting and defending people's rights.

[REDACTED]: Yes, Sir.

CAPT Hunter: Don't, don't, don't accept that, and that was put out too. Did you not, the wardroom not put that out to you..

[REDACTED]: Most things don't get down.

CAPT Hunter: I know. That's why I meet with a lot of Sailors and saying "what's happening on deckplate?" "Is what's being said getting out to you?" "Is it being filtered?"

[REDACTED]: Yes, Sir.

CAPT Hunter: Is it not being told? What are you all asking from me? Its not coming up. There are checks and balances. There are 500 people in 4 different locations, as you can imagine not everybody is in the same common location. So, I will talk to somebody. I don't know your practices, so I don't know if it's everyday or whatever.

[REDACTED]: They are early morning everyday, and then on Friday morning there is congregations - people come together and stuff.

CAPT Hunter: Okay, okay. Put in a chit, and we will. The rules are everybody gets to have there Sabbath off. For some people, their holy day is Friday.

[REDACTED]: Yea it's Sunday, but being in Dubai, they move it up to Friday because Sunday is a work day.

CAPT Hunter: Um, some have Saturdays, some have Sundays, some have Mondays.

[REDACTED]: Yes, Sir.

CAPT Hunter: Some have Wednesdays.

[REDACTED]: Yes, Sir.

CAPT Hunter: But that's for certain - we will work it out. I can guarantee it, one day we will figure it out. We are going to have to work some of

this stuff too, right? Because some people have watches and things like that, but if someone gives you a hard time, you walk in here and tell me.

██████████: What, every Friday I have off, I can go?

CAPT Hunter: You are requesting your right, and it's on the books. In the Navy regulations it says that we have to give that, unless, what is that phrase, mission provided. So if we are in a combat zone getting shot at, I'm probably not going to say, "Yea, you can go this morning." It's not going to happen because nobody is going to go.

██████████: Yes, Sir.

CAPT Hunter: We are not discriminating because we are saying nobody is going. Okay, so let's work that.

██████████: Okay, no problem Sir.

CAPT Hunter: In the future, if you ask these questions and are not getting these answers, then people are not doing their jobs. Okay, and you go, you are not doing your job. So lets go back.

██████████: Okay, I'm good, Sir.

CAPT Hunter: Okay, you are good, but I still owe you to go to ██████████ and I'm going to do is suggest that she sit down with you and walk through all the processes that she needs to do. Follow up.

██████████: Yes, Sir.

CAPT Hunter: Okay, it's a lot of work. That's what we do. (inaudible) So, I will set it up. I will talk to her tonight and set up a time with you and she will walk you through the formal complaint and everything she has to do. Please spend the time with her, ask questions, until you are comfortable.

██████████: Yes, Sir.

CAPT Hunter: She will walk through the formal process. Having been in the Navy 28 years now, have I never gotten into trouble? Yes I was young, many years ago, and yes, I did some things that were pretty dumb, I'm sure. Right? And yes, I paid for them all, right? The worst thing I ever did was take the advice of someone that wasn't in the same boat as me, that didn't go well. And that was one of the reasons I'm very adamant about doing what we are supposed to be doing. After 30 something odd years, I have seen

all of it.

██████████: Yes, Sir.

CAPT Hunter: Somebody who has experienced it and wrote it down. This is what we are supposed to do. If we need to change it, then change it. If not, we do what we are supposed to be. Just be a little bit resistant, take the input, always just be a little bit resistant, but always get out, pick your favorite. You are on the line, not the other person. Not everybody does everything exactly alike, there are different colors of alike. But um, go to and say, hey where is it, and then ask the second question, where do I find that? I'm not being hard, but I want to know, so in the future, when someone asks me and I give them the answer, I know where to look - it's right here, and here is where you can find it. I've been doing this so long, this is the way it is. Okay, Okay, I will ask her to do that.

██████████: Yes, Sir.

CAPT Hunter: We will be doing additional training - the other thing I don't believe in is singling out people. I don't believe that ██████████ is making us do this. We try to do things, you know, so people get the training without people saying so and so did this, or so and so said that. That's not right.. I will give you my word, that we will figure out a way that this type of practice will absolutely not be tolerated inside the command.

██████████: Yes, Sir.

CAPT Hunter: Is that fair?

██████████: Yes, Sir.

CAPT Hunter: Anything else I can do for you?

██████████: If you could dosomething about the liberty incident I'd be a happy kid.

CAPT Hunter: (inaudible) Again, I wish more people had the courage to come forward, I mean you did the right thing.

██████████: I'm routing a request to start to get my room changed,

CAPT Hunter: Yes that one, I don't want you to be punished for it ... we are digging through all of it right now. I don't know what is going on, I don't want to jump in and say that this is it. All the things are being investigated (inaudible). When I get back the other one should be done,

when I get it back. Just remember they have rights too, I just ask that if indeed they were doing the stuff that I'm hearing they were doing, that was wrong and appropriate action will be handled.

[REDACTED]: (inaudible) I have no problem, they can have friends over, I don't care, just before midnight, when I'm not there. Not at 3 in the morning when I'm trying to sleep, and people are coming over knocking on the doors and ringing the bells. It's been a month since [REDACTED] came in and said, "so, I was told by people that you couldn't have people over." I told him I didn't care that if they had friends over, unless they were doing something wrong. But then the story started coming out, and out and out, and I'm was like, Oh.

CAPT Hunter: It's what we all are ... we are looking into that. If y'all haven't figured it out, I don't brush things under the carpet, its just not the right thing to do. It just causes more hate and discontent down the road. We all live by the same rules here. All right?

[REDACTED]: Thank you for everything you did, Sir.

CAPT Hunter: I appreciate you bringing it to my attention. I know this has taken a while we need to make sure dot our I's and cross our T's because (inaudible) ... Alright, have a great day.

[REDACTED]: Have a great day, Sir.

I, [REDACTED], do certify that this transcription is accurate and correct to the best of knowledge, and is based on a DVD recording of the CAPT Hunter/[REDACTED]-conversation that took place on 24 Dec 12, DVD having been made by [REDACTED], USNR (reportedly copied from LS2 Johal's cellular device).

[REDACTED] 11 FEB 13

Witnessed by:

[REDACTED] 11 FEB 13

Date: 4 December 2012

MEMORANDUM FOR THE RECORD

Subj: MEMORANDUM FOR THE RECORD

1. On 3 December 2012 I contacted [REDACTED] to inform him that I was the Command's EO Manger. I confronted him about the complaints that [REDACTED] spoke about and asked [REDACTED] if he needed assistance or needed any advice on the situation.
2. [REDACTED] relayed the following situation to me:

TYPE: NAVPERS 5354/2 Although [REDACTED] did fill out the EO Complaint Form, I asked him if he would feel comfortable with the command handling this at the lowest level possible. He is satisfied with the command dealing with this and understands if the outcome is not acceptable he has the right to request further routing of his complaint.

[REDACTED] "The formal grievance complaint is against [REDACTED] for making racist remarks on two different occasions. The first remark was made during January unit level drill weekend. [REDACTED] was going around introducing himself and when he introduced himself to me and after a few minutes of our conversations, [REDACTED] started making fun of my accent and asked if I had to take an English proficiency exam and when I said I did his next remark was "I thought they stopped giving it looking at the people in the Navy now."

After that incident I was approached by a few Sailors to make a formal complaint but I decided not to as I was new in the Navy and was not sure about the process.

The second remark was made during my career development board which took place on Oct. 19th 2012 @ 0900. In the presence of [REDACTED] and [REDACTED], the [REDACTED] behavior during the board was totally unprofessional and profanity was used through the board despite the seriousness of the official board being conducted. During the board I was asked if I was married and I answered yes. The next questions was if she is American or from back home and I answered she is Indian as well. The next question was about what is her profession and I said she is a nurse. Then I was asked what is she up to these days? I stated she was flying to England today and his remark was is she a Terrorist? These words took me by surprise and I was shocked to have my wife racially profiled due to our skin color. His comments made me feel like I'm not wanted in the Navy and most important not wanted by the MSRON 12 leadership due to the color of my skin.

[REDACTED]'s requested remedy: I have put my life on hold to come serve our country on this deployment. Going back home is not an option for me. But I feel like my career, my eval and my future in the Navy is going to be jeopardized after this formal complaint. I do not believe that I would receive the same treatment as other Sailors would from the [REDACTED]

I would like you to do whatever is necessary so it would not happen again and so that no one else should be racially profiled due to their skin color. I am glad that I have a CPO Mess on my side to get me through this."

I have [REDACTED] written formal complaint on file.

[REDACTED]

Enclosure (59)

NAVY EQUAL OPPORTUNITY (EO) FORMAL COMPLAINT FORM

SUPPORTING DIRECTIVE OPNAVINST 5354.1F

AUTHORITY:	10 U.S.C. 5013 (g).		
PRINCIPLE PURPOSE:	Formal filing of allegations of discrimination based on race, color, religion, sex or national origin, incidents of sexual harassment, against military personnel. For EEO complaints against civilian employees, see OCPMINST 12713.2.		
ROUTINE USES:	Information provided on this form may be used: (a) as a data source for complaint information, statistics, reports, and analysis, (b) to respond to requests from appropriate outside individuals or agencies (e.g. <i>Members of Congress; the White House</i>) regarding the status of a complaint; (c) to adjudicate the complaint or appeal; (d) any other properly established routine use. May use addendum as necessary		
DISCLOSURE:	Disclosure is voluntary; however, failure to fully complete all portions of this form may result in rejection of the complaint on the basis of inadequate data to assess complaint.		
PROTECT PRIVACY	Protect individual privacy (both complainant's and alleged offender (s)) through all stages of the process (SECNAVINST 5211.5 Series)		
1a. COMPLAINANT'S NAME:	1b. RANK/RATE:	1c. SSN:	
1d. UNIT:	1e. RACE/ETHNIC GROUP:	1f. SEX:	1g. DATE:
MSRON 12		M	4 DEC 2012
2a. Options:			
(1) <u>Informal Resolution System (IRS)</u> . (Ref: IRS Skills Booklet, NAVPERS 15620.)			
(2) <u>USN Equal Opportunity/Sexual Harassment Adviceline</u> . (Monday - Friday 0730-1630) Central Time. Call toll free (800) 253-0931, DSN 882-2507, COMM (901) 874-2507. (Call collect from overseas.) E-Mail: Mill_Navy_EO_Advice@navy.mil			
(3) <u>Authorized command or local resource</u> . The following are available (insert local name, organization, and phone number) Command Managed Equal Opportunity (CMEO): Command Master Chief: Equal Employment Opportunity (EEO): Fleet Family Support Center (FSC): Equal Opportunity Advisor (EOA): Health Treatment Facilities (HTF): Chaplain: Legal: Other:			
(4) NAVREGS 1151 <u>Request meet with the CO/OIC</u> . Your right to communicate with the CO in a proper manner, time, and place shall not be denied or restricted. Such requests shall be acted upon promptly and forwarded without delay. Local procedures are:			
(5) <u>Communications with Inspectors-General</u> . Any person whose chain of command does not take effective action on complaints or who does not feel comfortable filing complaints locally or in person can lodge complaints (anonymously if desired) via one or more of the available hotlines: Naval Inspector General: Toll Free 1-800-522-3451; DSN 288-6743; COMM (202) 433-6743. Marine Corps Inspector General: DSN 224-1349; commercial (703) 614-1349. Atlantic Fleet Inspector General: Toll Free 1-800-533-2397. Pacific Fleet Inspector General: COMM (808) 474-4275. Naval Forces Europe Inspector General: 001-44-171-514-4188. Naval Reserve Inspector General: DSN 678-1324; COMM (504) 678-1324. Local TYCOM, ISIC, or local commanders' hotlines: (Insert Phone Number)			
(6) NAVREGS 1155. A service member may always communicate individually with members of Congress.			
(7) <u>Article 138/NAVREGS 1150 complaint</u> . A service member who believes him/herself wronged by his/her CO or other superior officer may file a complaint as provided in JAGMAN Chapter III. Assistance in filing such complaints may be available from the local Naval Legal Services Office (NLSO).			
2b. CONTACT THE FOLLOWING COMMAND REPRESENTATIVE FOR ASSISTANCE IN FILING THIS COMPLAINT. (Insert name, phone):			
2c. COMPLAINANT WAS ADVISED OF COUNSELING / SUPPORT SERVICES AND PROVIDED A COPY OF THIS FORM.			
2d. NAME OF COMMAND REPRESENTATIVE:	2e. RANK/RATE:	2f. DATE:	
		4 DEC 12	
2g. UNIT/COMMAND:	SIGNATURE:		
MSRON 12			
2l. COMPLAINANT'S ACKNOWLEDGMENT:			
(Signature):			DATE:

Enclosure (60)

NAVY EQUAL OPPORTUNITY (EO) FORMAL COMPLAINT FORM (CONTINUED)

SUPPORTING DIRECTIVE OPNAVINST 5354.1F

PART II COMPLAINT FILING DEADLINE

I UNDERSTAND THAT I HAVE 60 CALENDAR DAYS FROM THE DATE OF THE ALLEGED INCIDENT TO FILE A FORMAL EO COMPLAINT. This EO filing deadline does not affect alternative remedies that might apply. (Investigation of EO complaints received after 60 calendar days is at the discretion of the cognizant commanding officer/activity head).

3a. NATURE OF COMPLAINT. (State, in as much detail as possible, the basis for your complaint. Describe the behaviors/conduct under objection, date(s) of occurrence, names of involved parties, witnesses, others to or from whom previous reports may have been made or received, other evidence available, and any additional information which may be helpful in resolving your complaint. Attach additional sheets as needed.)

THE FORMAL GRIEVANCE COMPLAINT IS AGAINST [REDACTED] FOR MAKING RACIST REMARKS ON ^{TWO} DIFFERENT OCCASIONS. THE FIRST REMARK WAS MADE DURING JANUARY UNIT LEVEL DRILL WEEKEND. EMC WAS GOING AROUND INTRODUCING HIMSELF AND WHEN HE INTRODUCED HIMSELF TO ME AND AFTER FEW MINUTES ^{OF OUR CONVERSATION} [REDACTED] STARTED MAKING FUN OF MY ACCENT AND ASKED IF I HAD TO TAKE AN ENGLISH PROFICIENCY EXAM AND WHEN I SAID I DID HIS NEXT REMARKS WERE "I THOUGHT THEY STOPPED GIVING IT LOOKING AT THE PEOPLE IN THE NAVY NOW!" AFTER THAT INCIDENT I WAS APPROACHED BY FEW SAILORS TO MAKE A FORMAL COMPLAINT BUT I DECIDED NOT TO AS I WAS NEW IN THE NAVY AND WAS NOT SURE ABOUT THE PROCESS.

THE SECOND REMARK WAS MADE DURING MY CARRIER DEVELOPMENT BOARD WHICH TOOK PLACE ON OCT 19th 2012 AT 0900 IN THE PRESENCE OF [REDACTED] AND [REDACTED]. THE [REDACTED] BEHAVIOR DURING THE BOARD WAS TOTALLY UNPROFESSIONAL AND PROFANITY WAS USED THROUGHOUT THE BOARD DESPITE THE SERIOUSNESS OF THE OFFICIAL BOARD BEING CONDUCTED. DURING THE BOARD I WAS ASKED IF I WAS MARRIED AND I ANSWERED "YES". THE NEXT QUESTION WAS IF SHE IS AMERICAN OR FROM BACK HOME AND I ANSWERED "SHE IS INDIAN AS WELL". THE NEXT QUESTION WAS ABOUT WHAT DOES SHE DO AND I ANSWERED "SHE IS A NURSE". THEN I WAS ASKED WHAT SHE UP TO THESE DAYS AS I AM HERE NOW ON MOB AND I ANSWERED THAT SHE IS FLYING TO ENGLAND TODAY AND NEXT REMARK MADE BY [REDACTED] WAS "IS SHE A TERRORIST?" THESE WORDS TOOK ME BY SURPRISE AND I WAS SHOCKED TO HAVE MY WIFE RACIALLY PROFILED DUE TO OUR SKIN COLOR. HIS COMMENTS MADE ME FEEL LIKE I AM NOT WANTED IN THE NAVY AND MOST IMPORTANTLY NOT WANTED BY THE MSCRON 12 LEADERSHIP DUE TO THE COLOR OF MY SKIN.

3b. REQUESTED REMEDY. (What, specifically, do you think the final outcome should be?)

I HAVE PUT MY LIFE ON HOLD TO COME SERVE OUR COUNTRY ON THIS DEPLOYMENT. GOING BACK HOME IS NOT AN OPTION FOR ME. BUT I FEEL ^{LIKE} MY CAREER, MY EVAL AND MY FUTURE ^{IN THE NAVY} IS GOING TO BE JEOPARDIZED AFTER THIS FORMAL COMPLAINT. I DO NOT BELIEVE THAT I WOULD RECEIVE A SAME TREATMENT AS OTHER SAILORS ^{WOULD} FROM ~~COMMAND~~ AFTER THIS AND ESPECIALLY EMC. I WOULD LIKE YOU TO DO WHAT EVER IS NECESSARY SO IT WOULD NOT HAPPEN AGAIN AND SO THAT NO BODY SHOULD BE RACIALLY PROFILED DUE TO THEIR SKIN COLOR. I AM GLAD TO HAVE CREEPERS ON MY SIDE TO GET THROUGH THIS.

3c. ACKNOWLEDGMENT OF RECEIPT OF COMPLAINT. (By POC identified in paragraph 2b above) I acknowledge receipt of this formal EO/SH complaint.

I UNDERSTAND THAT I HAVE ONE CALENDAR DAY (24 HOURS) TO REFER THE COMPLAINT TO THE APPROPRIATE AUTHORITY AND TO INFORM THAT AUTHORITY OF ANY INTERIM ACTION THAT IS TAKEN.

3d. NAME OF COMMAND REPRESENTATIVE: [REDACTED]

3e. RANK/RATE: [REDACTED]

3f. DATE: 4 DEC 12

3g. UNIT/COMMAND: MSCRON 12

3i. COMPLAINANT'S ACKNOWLEDGMENT: [REDACTED]

(Signature): [REDACTED]

DATE: [REDACTED]

NAVY EQUAL OPPORTUNITY (EO) FORMAL COMPLAINT FORM (CONTINUED)

SUPPORTING DIRECTIVE OPNAVINST 5354.1F

PART III - COMPLAINT PROCESSING/COMMAND ACTIONS

INTERIM FEEDBACK/ASSISTANCE TO COMPLAINANT. TAKE PARTICULAR CARE TO AVOID RE-VICTIMIZING COMPLAINANTS (AND WITNESSES). Keep the complainant and advocate apprised of the status of the investigation (including any deadline extensions). Provide Supplemental counseling/support assistance/referral as warranted. Ensure that all involved know that reprisal against the complainant will not be tolerated. (Recommend keeping a record of such feedback/assistance. Attach record to the complaint form.)

RESOLUTION TIME STANDARDS/REPORTING. RESOLUTION OF CASE SHOULD BE COMPLETED NO LATER THAN 20 DAYS FROM INVESTIGATION COMMENCEMENT. Resolution includes: completion of investigation; determination of validity of complaint; adjudication at NJP or courts-martial, initiation of other appropriate action, notification to accused, and notification of complainant and submission of a close-out. **IF TIME STANDARDS CANNOT BE MET, CONTINUATION MESSAGES EVERY 14 DAYS THROUGH CASE RESOLUTION IS MANDATORY.** Explain the reason(s) for delay. SEND ALL MESSAGES UNCLASSIFIED.

DOCUMENT COMMAND ACTION. Command records should permit reviewers to clearly ascertain/assess decisions reached. Make appropriate entries in individual personnel records, if applicable. Make any statistical reports required by the chain of command. Retain this completed form onboard at least three years. Provide copy of completed form to complainant as authorized under Freedom of Information Act (FOIA) and governing directives.

4a. DATE TIME GROUP (DTG) OF SITREP MESSAGES (attach copy of MESSAGES to this form)

(1) Initial DTG	Continuation(s) DTG(S)	(3) Close-out DTG
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4b. ASSIGNMENT OF PERSONAL ADVOCATES : (Separate advocates must be offered to each party and initialed in writing).

(1) Complainant: (Name and phone number)	(2) Subject: (Name and phone number)	(3) Witness: (Name and phone number)
INITIAL IN BOX <input type="checkbox"/> ACCEPT <input type="checkbox"/> DECLINE	INITIAL IN BOX <input type="checkbox"/> ACCEPT <input type="checkbox"/> DECLINE	INITIAL IN BOX <input type="checkbox"/> ACCEPT <input type="checkbox"/> DECLINE

5a. NAME OF INVESTIGATING OFFICER:	5b. DATE CONVENED:
------------------------------------	--------------------

5c. COMPLAINANT'S ACKNOWLEDGMENT:

(Signature): _____ DATE: _____

6a. ACKNOWLEDGMENT OF RECEIPT BY COMMANDING OFFICER/ACTIVITY HEAD. I acknowledge receipt of this complaint by (name/rank) of (date).

I UNDERSTAND I MUST INITIATE AN APPROPRIATE INVESTIGATION OR ENSURE THAT ONE IS BEING CONDUCTED (E.G., BY NCIS) WITHIN THREE CALENDAR DAYS (72 HOURS). NOTIFY COMPLAINANT SAME DAY OF INVESTIGATION COMMENCEMENT. I FURTHER UNDERSTAND THAT I MUST SUBMIT A COMPLAINT AS PER OPNAVINST 5354.1 SERIES WITHIN THREE CALENDAR DAYS (72 HOURS), AND PROVIDE COMMAND ADVOCATES FOR ALL INVOLVED PARTIES.


6b. NAME OF COGNIZANT CO/ACTIVITY HEAD:	6c. RANK/GRADE:	6d. DATE:
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6e. UNIT/COMMAND:	6f. SIGNATURE
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Date: 5 December 2012

MEMORANDUM FOR THE RECORD

Subj: MEMORANDUM FOR THE RECORD

1. Notified [REDACTED] that [REDACTED] agreed to let the command handle the complaint without a NAVPERS 5343/2. I assured [REDACTED] that I would keep it on file if he changed his mind in the future.
 2. Please see attached email convo with [REDACTED].
- 

Enclosure (61)

[REDACTED]

From: [REDACTED]
Sent: Wednesday, December 05, 2012 9:58 PM
To: [REDACTED]
Cc: Hunter, David P CAPT USN CTG-56.7 DET JEB
Subject: RE: CMEO Update - [REDACTED]
Signed By: [REDACTED]

[REDACTED],

For [REDACTED], understand you are going to try and resolve this within the command without a formal complaint. Ensure you document with a memorandum for the record that he did submit one but opted to use the informal resolution system. Retaining it just in case is okay, but if at a later date he can claim that he submitted a formal complaint and you did nothing with it. If his issue is corrected without having to file the complaint, ensure you destroy the copy you retained.

Once [REDACTED] returns back, we'll draft up all of the comments and you will receive a copy.

Lastly, the only authorized system to create surveys on is the DEOCS site, which you know, remains down. You can conduct focus groups, similar to the interviews that we conducted, but I am curious to see the comments from [REDACTED] and [REDACTED] before moving forward. This may give you guidance on where to focus your efforts.

If you have any other questions, please let me know.

Vr,

[REDACTED]

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

From: [REDACTED]
Sent: Tuesday, December 04, 2012 15:25
To: [REDACTED]
Cc: David.Hunter@me.navy.mil
Subject: RE: CMEO Update - [REDACTED]

Good Evening [REDACTED]

In regards to you wanting the feedback from the individuals involved in [REDACTED]'s phone call, I have received the statements and decision on how the Sailors would like to proceed. Please see the summary for each individual:

TYPE: VERBAL

MAC Thomas Durkin: I spoke with MAC on 4DEC12 on his standing position regarding his phone call to the IG Hotline. I asked him he would like to make a statement and declined. He stated that CRG2 would be arriving 5DEC12 to interview the CPO mess and he would verbalize at that time his concerns.

TYPE: WRITTEN STATEMENT

[REDACTED]: "[REDACTED] Sorry for the delay. I'm not sure what you exactly want so this is what I got. I don't know the exact date but can look as the situation occurred during [REDACTED] Career Development Board in [REDACTED]'s office. [REDACTED] did ask [REDACTED] if his wife was a terrorist. This was immediately following a conversation that [REDACTED]'s wife would be flying to London. [REDACTED] laughed and said something to the effect of "that was wrong" and continued to chuckle. [REDACTED] also asked if his marriage was arranged. While I felt this was inappropriate, I did not know if [REDACTED] and [REDACTED] had perhaps joked of this before or if perhaps they had a known each other for a long time and this was a normal exchange between the two. If you need any more info or clarification, please just let me know. Also, my cell number is [REDACTED]."

TYPE: VERBAL

[REDACTED]: At this time she wishes to make no formal or infomral statement to the chain of command. She is satisfied with the outcome of the CMEO handling it at the lowest level in regards to the comments that were passed my [REDACTED]. (Please see the Previous submission of the CMEO Complaint Sumamry)

TYPE: NAVPERS 5354/2 Although LS2 did fill out the EO Complaint Form, I asked him if he would feel comfortable with the command handling this at the lowest level possible. He is satisfied with the command dealing with this and understands if the outcome is not accpetable he has the right to request further routing of his complaint.

[REDACTED] "The formal grievance complaint is against [REDACTED] for making racist remarks on two different occasions. The first remark was made during January unit level drill weekend. [REDACTED] was going around introducing himself and when he introduced himself to me and after a few minutes of our converstation, [REDACTED] started making fun of my accent and asked if I had to take an english proficiency exam and when I said I did his next remark was "I thought they stopped giving it looking at the people in the Navy now." After that incident I was approached by a few Sailors to make a formal complaint but I deecided not to as I was new in the Navy and was not sure about the process.

The second remark was made during my career development board which took place on Oct. 19th 2012 @ 0900. In the preseence of [REDACTED] and [REDACTED], the [REDACTED] s behavior during the board was totally unprofessional and profanity was used through the board despite the seriousness of the official board being conducted. During the board I was asked if I was married and I answered yes. The next questions was if she is American or from back home and I answered she is Indian as well. The next question was about what is her profession and I said she is a nurse. Then I was asked what is she up to these days? I stated she was flying to England today and his remark was is she a Terrorist? These words took me by surprise and I was shocked to have my wife racially profiled due to our skin color. His comments made me feel like I'm not wanted in the Navy and most important not wanted by the MSRON 12 leadership due to the color of my skin.

[REDACTED] s requested remedy: I have put my life on hold to come serve our country on this deployment. Going back home is not an option for me. But I feel like my career, my eval and my future in the Navy is going to be jeopordized after this formal complaint. I do not believe that I would receive the same treatment as other Sailors would from the [REDACTED]. I would like you to do whatever is necessary so it would not happen again and so that no one else should be racially profiled due to their skin color. I am glad that I have a CPO Mess on my side to get me through this."

I have [REDACTED] written formal complaint on file.

Below you will find the initial converstations I have had with the above Sailors. My Commanding Officer, CAPT Hunter is very involved, aware and concerned with the situation at hand. Will the personnel who traveled here to conduct interviews be summarizing their findings and forwarding them to us?

Thank you for your time and assistance with this matter,
(The email below as stated is the previous convo)
Very Respectfully,

[REDACTED]

PREVIOUS SUBMISSION OF CMEO COMPLAINT SUMMARY

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

From: [REDACTED]
Sent: Tuesday, November 27, 2012 1:05 AM
To: [REDACTED]
Cc: [REDACTED]
Subject: RE: POC

(ITCS,

As of right now, the only information that I received was on the November 21st from a phone call from [REDACTED], who is apart of the boat crew. He stated that he made

a call to the IG hotline and requested advice on how to handle [REDACTED]'s racist and inappropriate comments that he made to a few of his Sailors.

[REDACTED] had stated two if his junior Sailors have complained about [REDACTED] comments as follows:

A 2nd Class PO of Indian Ethnicity was approached by [REDACTED] and he had asked th PO2 if he was married? The PO2 replied yes and then [REDACTED] had asked if it was arranged.

Another 2nd Class PO, female, was told that she needed to change her hair color back to blonde from the current color of brown because she looked "ugly". I did speak with this PO2 on a mentor/mentee basis and asked if she was ok or had any issues with anyone within in the command and she did state she felt as if [REDACTED] did not like her and she felt uncomfortable around him. She was concerned because she had to stay in the same hotel as him during deployment. She never asked to have any formal complaints submitted but was simply asking her leadership, [REDACTED] for guidance.

MSRON12 recently had a open Captain's Mast for the BMF Leadership, [REDACTED] who comes from Det Earle New Jersey. During ULTRA, they were violating the CO's policy on no outside food, etc. and the CO ultimately demobilized [REDACTED] and submitted a letter of reprimand in his record.

[REDACTED] and [REDACTED] were vey close and came from the same Det originally. At the end of my converstation with [REDACTED] on the 21st, he started to express his dislike and aggravation over the demobilization of [REDACTED].

At this point all I have done is placed a memo in my file and am waiting for any further direction since there was no compalint actually submitted through me. I advised [REDACTED] of his options, formal and informal and that I am here to assist with which ever process he chooses to proceed. I did ask [REDACTED] is he submitted a formal IG compalint and he said no and that all he was seeking was guidance from the IG hotline. I did ask [REDACTED] why did he not attempt to contact me first and use the levels of reporting and he said he did not want to bother me with the close departure of the deployment and he was concerned that upper chain of command would not proceed.

[REDACTED] has a reputation for talking and complaining a real lot at MSRON 12 especially when it comes to the formalities of the command operations.

I have had no further feedback other than [REDACTED] stating that [REDACTED]s have chosen to handle this at their level?? I am not sure what that means in relations to a fomal CMEO complaint.

Again I apologize for not talking to you sooner. I am set to brief the CO tomorrow am, Wednesday on the curent standings of the phone call [REDACTED] has made to the IG.

I am standing by to assist further,
V/R,
[REDACTED])

Very Respectfully,
[REDACTED]

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

From: [REDACTED]
Sent: Monday, December 03, 2012 11:15 PM
To: [REDACTED]
Subject: RE: CMEO Update - [REDACTED]

[REDACTED],
Thanks for the heads up but this is a first heard for me on meeting with the Mess. It

might be [REDACTED]. He should be there in country to help out.

I would agree on the disconnect. All of this is to figure out what the correct course of action is and make adjustments so everything can get back on an even keel. There should be two individuals coming out to speak with various Sailors there at the command.

As for the paper survey, I'll get back to you this afternoon (or when you see my response) so you can get started on that.

R,

[REDACTED]

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

From: [REDACTED]
Sent: Monday, December 03, 2012 12:35 PM
To: [REDACTED]
Subject: RE: CMEO Update - [REDACTED]

[REDACTED]

Thank you for the follow up. I was just speaking with the CO on where we stand.

I also just spoke with [REDACTED], he stated he will be meeting with you tomorrow and the rest of the CPO mess.

Obvioulsy we are going to be doing a paper copy DEOCS survey. How can I go about ordering that with the DEOMI site down?

[REDACTED] do want to let you know that for the most part the E6 and below at this command work well together and have a strong commraderie. There is a disconnect somewhere between the O's and CPO Mess. It is more apparent now then ever.

V/R,
[REDACTED]

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

From: [REDACTED]
Sent: Monday, December 03, 2012 9:30 PM
To: [REDACTED]
Subject: RE: CMEO Update - [REDACTED]

Got it! Thanks for working this out. I completely understand how the resources are out there.

[REDACTED]

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

From: [REDACTED]
Sent: Monday, December 03, 2012 12:03 PM
To: [REDACTED]
Subject: FW: CMEO Update - [REDACTED]

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

From: [REDACTED]
Sent: Saturday, December 01, 2012 5:17 PM
To: [REDACTED]

Subject: CMEO Update - [REDACTED]

Senior,

Please excuse my sending from my personal account. Assets are difficult and restrictive over here.

V/R,
[REDACTED]

[REDACTED]

From: [REDACTED]
Sent: Wednesday, December 05, 2012 9:58 PM
To: [REDACTED]
Cc: Hunter, David P CAPT USN CTG-56.7 DET JEB
Subject: RE: CMEO Update - [REDACTED]

[REDACTED]

For [REDACTED], understand you are going to try and resolve this within the command without a formal complaint. Ensure you document with a memorandum for the record that he did submit one but opted to use the informal resolution system. Retaining it just in case is okay, but if at a later date he can claim that he submitted a formal complaint and you did nothing with it. If his issue is corrected without having to file the complaint, ensure you destroy the copy you retained.

Once [REDACTED] returns back, we'll draft up all of the comments and you will receive a copy.

Lastly, the only authorized system to create surveys on is the DEOCS site, which you know, remains down. You can conduct focus groups, similar to the interviews that we conducted, but I am curious to see the comments from LCDR Wilgus and [REDACTED] before moving forward. This may give you guidance on where to focus your efforts.

If you have any other questions, please let me know.

Vr.
[REDACTED]

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

From: [REDACTED]
Sent: Tuesday, December 04, 2012 15:25
To: [REDACTED]
Cc: David.Hunter@me.navy.mil
Subject: RE: CMEO Update - (b) (6)(b) (6) MSRON 12

Good Evening [REDACTED],

In regards to you wanting the feedback from the individuals involved in [REDACTED]'s phone call, I have received the statements and decision on how the Sailors would like to proceed. Please see the summary for each individual:

TYPE: VERBAL

[REDACTED]: I spoke with [REDACTED] on 4DEC12 on his standing position regarding his phone call to the IG Hotline. I asked him he would like to make a statement and declined. He stated that CRG2 would be arriving 5DEC12 to interview the CPO mess and he would verbalize at that time his concerns.

TYPE: WRITTEN STATEMENT

[REDACTED]: "IT1, Sorry for the delay. I'm not sure what you exactly want so this is what I got. I don't know the exact date but can look as the situation occurred during [REDACTED] Career Development Board in [REDACTED]'s office. [REDACTED] did ask [REDACTED] if his wife was a terrorist. This was immediately following a conversation that [REDACTED]'s wife would be flying to London. [REDACTED] laughed and said something to the effect of "that was wrong" and continued to chuckle. [REDACTED] also asked if his marriage was arranged. While I felt this was inappropriate, I did not know if [REDACTED] and [REDACTED] had perhaps joked of this before or if perhaps they had a known each other for a long time and this was a normal exchange between the two. If you need any more info or clarification, please just let me know. Also, my cell number is [REDACTED]."

TYPE: VERBAL

[REDACTED]: At this time she wishes to make no formal or informal statement to the chain of

command. She is satisfied with the outcome of the CMEO handling it at the lowest level in regards to the comments that were passed my [REDACTED]. (Please see the Previous submission of the CMEO Complaint Sumamry)

TYPE: NAVPERS 5354/2 Although [REDACTED] did fill out the EO Complaint Form, I asked him if he would feel comfortable with the command handling this at the lowest level possible. He is satisfied with the command dealing with this and understands if the outcome is not accpetable he has the right to request further routing of his complaint.

[REDACTED]: "The formal grievance complaint is against [REDACTED] for making racist remarks on two different occasions. The first remark was made during January unit level drill weekend. [REDACTED] was going around introducing himself and when he introduced himself to me and after a few minutes of our converstation, [REDACTED] started making fun of my accent and asked if I had to take an english proficiency exam and when I said I did his next remark was "I thought they stopped giving it looking at the people in the Navy now." After that incident I was approached by a few Sailors to make a formal complaint but I deecided not to as I was new in the Navy and was not sure about the process.

The second remark was made during my career development board which took place on Oct. 19th 2012 @ 0900. In the presemce of [REDACTED] and [REDACTED], [REDACTED]'s behavior during the board was totally unprofessional and profanity was used through the board despite the seriousness of the official board being conducted. During the board I was asked if I was married and I answered yes. The next questions was if she is American or from back home and I answered she is Indian as well. The next question was about what is her profession and I said she is a nurse. Then I was asked what is she up to these days? I stated she was flying to England today and his remark was is she a Terrorist? These words took me by surprise and I was shocked to have my wife racially profiled due to our skin color. His comments made me feel like I'm not wanted in the Navy and most important not wanted by the MSRON 12 leadership due to the color of my skin.

[REDACTED]'s requested remedy: I have put my life on hold to come serve our country on this deployment. Going back home is not an option for me. But I feel like my career, my eval and my future in the Navy is going to be jeopordized after this formal complaint. I do not believe that I would receive the same treatment as other Sailors would from [REDACTED]. I would like you to do whatever is necessary so it would not happen again and so that no one else should be racially profiled due to their skin color. I am glad that I have a CPO Mess on my side to get me through this."

I have [REDACTED] written formal complaint on file.

Below you will find the initial converstations I have had with the above Sailors. My Commanding Officer, CAPT Hunter is very involved, aware and concerned with the situation at hand. Will the personnel who traveled here to conduct interviews be summarizing their findings and forwarding them to us?

Thank you for your time and assistance with this matter,
(The email below as stated is the previous convo)
Very Respectfully,

PREVIOUS SUBMISSION OF CMEO COMPLAINT SUMMARY

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

From: [REDACTED]
Sent: Tuesday, November 27, 2012 1:05 AM
To: [REDACTED]
Cc: [REDACTED]
Subject: RE: POC

[REDACTED]
As of right now, the only information that I received was on the November 21st from a phone call from [REDACTED], who is apart of the boat crew. He stated that he made a call to the IG hotline and requested advice on how to handle [REDACTED]'s racist and

inappropriate comments that he made to a few of his Sailors.

██████████ had stated two if his junior Sailors have complained about ██████████ comments as follows:

A 2nd Class PO of Indian Ethnicity was approached by ██████████ and he had asked th PO2 if he was married? The PO2 replied yes and then ██████████ had asked if it was arranged.

Another 2nd Class PO, female, was told that she needed to change her hair color back to blonde from the current color of brown because she looked "ugly". I did speak with this PO2 on a mentor/mentee basis and asked if she was ok or had any issues with anyone within in the command and she did state she felt as if ██████████ did not like her and she felt uncomfortable around him. She was concerned because she had to stay in the same hotel as him during deployment. She never asked to have any formal complaints submitted but was simply asking her leadership, ██████████ for guidance.

MSRON12 recently had a open Captain's Mast for the BMF Leadership, ██████████ who comes from Det Earle New Jersey. During ULTRA, they were violating the CO's policy on no outside food, etc. and the CO ultimately demobilized ██████████ and submitted a letter of reprimand in his record.

██████████ and ██████████ were vey close and came from the same Det originally. At the end of my conversation with ██████████ on the 21st, he started to express his dislike and aggravation over the demobilization of ██████████.

At this point all I have done is placed a memo in my file and am waiting for any further direction since there was no compalint actually submitted through me. I advised ██████████ of his options, formal and informal and that I am here to assist with which ever process he chooses to proceed. I did ask ██████████ if he submitted a formal IG compalint and he said no and that all he was seeking was guidance from the IG hotline. I did ask ██████████ why did he not attempt to contact me first and use the levels of reporting and he said he did not want to bother me with the close departure of the deployment and he was concerned that upper chain of command would not proceed.

██████████ has a reputation for talking and complaining a real lot at MSRON 12 especially when it comes to the formalities of the command operations.

I have had no further feedback other than ██████████ stating that ██████████'s have chosen to handle this at their level?? I am not sure what that means in relations to a fomal CMEO complaint.

Again I apologize for not talking to you sooner. I am set to brief the CO tomorrow am, Wednesday on the curent standings of the phone call ██████████ has made to the IG.

I am standing by to assist further,
V/R,
██████████

██████████
-----Original Message-----

From: ██████████
Sent: Monday, December 03, 2012 11:15 PM
To: ██████████
Subject: RE: CMEO Update - ██████████

██████████,
Thanks for the heads up but this is a first heard for me on meeting with the Mess. It might be ██████████. He should be there in country to help out.

I would agree on the disconnect. All of this is to figure out what the correct course of action is and make adjustments so everything can get back on an even keel. There should be two individuals coming out to speak with various Sailors there at the command.

As for the paper survey, I'll get back to you this afternoon (or when you see my response) so you can get started on that.

R,

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

From: [REDACTED]
Sent: Monday, December 03, 2012 12:35 PM
To: [REDACTED]
Subject: RE: CMEO Update - [REDACTED]

Thank you for the follow up. I was just speaking with the CO on where we stand.

I also just spoke with [REDACTED], he stated he will be meeting with you tomorrow and the rest of the CPO mess.

Obvioulsy we are going to be doing a paper copy DEOCS survey. How can I go about ordering that with the DEOMI site down?

I do want to let you know that for the most part the E6 and below at this command work well together and have a strong commraderie. There is a disconnect somewhere between the O's and CPO Mess. It is more apparent now then ever.

V/R,
(b) (6)

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

From: [REDACTED]
Sent: Monday, December 03, 2012 9:30 PM
To: [REDACTED]
Subject: RE: CMEO Update - [REDACTED]

Got it! Thanks for working this out. I completely understand how the resources are out there.

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

From: [REDACTED]
Sent: Monday, December 03, 2012 12:03 PM
To: [REDACTED]
Subject: FW: CMEO Update - [REDACTED]

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

From: [REDACTED]
Sent: Saturday, December 01, 2012 5:17 PM
To: [REDACTED]

Subject: CMEO Update - [REDACTED]

Senior,

Please excuse my sending from my personal account. Assets are difficult and restrictive over here.

V/R,

(b) (6)

[REDACTED]

From: [REDACTED]
Sent: Saturday, December 15, 2012 9:25 PM
To: Hunter, David P CAPT USN CTG-56.7 DET JEB
Subject: FW: CMEO Update - [REDACTED]

CO,

I received response from [REDACTED] at CRG 2. He is following up with the CDRE. I explained how you have been in touch with the Commodore regarding the outcome of the interviews conducted.

I am following up frequently at your request.

[REDACTED] is coordinating with NECC for paper ordering of our surveys.

V/R,
[REDACTED]

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

From: [REDACTED]
Sent: Friday, December 14, 2012 4:41 PM
To: [REDACTED]
Subject: RE: CMEO Update - [REDACTED]

[REDACTED],
I did not get that word, but if the CDRE does not to release those, that is his decision. From what I have seen so far, they are all anonymous, but he may have his own reasons for holding on to them.

I'll touch bases with him to see what his thoughts are. I'll let you know when I find out.

R,
[REDACTED]

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

From: [REDACTED]
Sent: Wednesday, December 12, 2012 16:18
To: [REDACTED]
Subject: RE: CMEO Update - [REDACTED]

Good Evening [REDACTED],

I just wanted to follow up on presenting the summary to CAPT Hunter regarding [REDACTED]. I understand there were outside interviews conducted and you were pending a result from the interviewers.

CAPT Hunter had stated that after speaking with the Commodore that there will be no release of the interview findings by CGG 2?

Thank you for your time and standing by for my next course of action,

V/R,
[REDACTED]

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

From: [REDACTED]
Sent: Wednesday, December 05, 2012 9:58 PM
To: [REDACTED]

Cc: Hunter, David P CAPT USN CTG-56.7 DET JEB
Subject: RE: CMEO Update - [REDACTED]

[REDACTED]
For [REDACTED], understand you are going to try and resolve this within the command without a formal complaint. Ensure you document with a memorandum for the record that he did submit one but opted to use the informal resolution system. Retaining it just in case is okay, but if at a later date he can claim that he submitted a formal complaint and you did nothing with it. If his issue is corrected without having to file the complaint, ensure you destroy the copy you retained.

Once [REDACTED] returns back, we'll draft up all of the comments and you will receive a copy.

Lastly, the only authorized system to create surveys on is the DEOCS site, which you know, remains down. You can conduct focus groups, similar to the interviews that we conducted, but I am curious to see the comments from [REDACTED] and [REDACTED] before moving forward. This may give you guidance on where to focus your efforts.

If you have any other questions, please let me know.

Vr,
[REDACTED]

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

From: [REDACTED]
Sent: Tuesday, December 04, 2012 15:25
To: [REDACTED]
Cc: David.Hunter@me.navy.mil
Subject: RE: CMEO Update - [REDACTED]

Good Evening [REDACTED]

In regards to you wanting the feedback from the individuals involved in [REDACTED]'s phone call, I have received the statements and decision on how the Sailors would like to proceed. Please see the summary for each individual:

TYPE: VERBAL

[REDACTED]: I spoke with [REDACTED] on 4DEC12 on his standing position regarding his phone call to the IG Hotline. I asked him he would like to make a statement and declined. He stated that CRG2 would be arriving 5DEC12 to interview the CPO mess and he would verbalize at that time his concerns.

TYPE: WRITTEN STATEMENT

[REDACTED]: "[REDACTED], Sorry for the delay. I'm not sure what you exactly want so this is what I got. I don't know the exact date but can look as the situation occurred during [REDACTED] Career Development Board in the [REDACTED]'s office. [REDACTED] did ask [REDACTED] if his wife was a terrorist. This was immediately following a conversation that [REDACTED]'s wife would be flying to London. [REDACTED] laughed and said something to the effect of "that was wrong" and continued to chuckle. [REDACTED] also asked if his marriage was arranged. While I felt this was inappropriate, I did not know if [REDACTED] and [REDACTED] had perhaps joked of this before or if perhaps they had a known each other for a long time and this was a normal exchange between the two. If you need any more info or clarification, please just let me know. Also, my cell number is 052 906 8586."

TYPE: VERBAL

[REDACTED] At this time she wishes to make no formal or informal statement to the chain of command. She is satisfied with the outcome of the CMEO handling it at the lowest level in regards to the comments that were passed my [REDACTED]. (Please see the Previous submission of the CMEO Complaint Summary)

TYPE: NAVPERS 5354/2 Although LS2 did fill out the EO Complaint Form, I asked him if he would feel comfortable with the command handling this at the lowest level possible. He is satisfied with the command dealing with this and understands if the outcome is not

acceptable he has the right to request further routing of his complaint.

██████████: "The formal grievance complaint is against ██████████ for making racist remarks on two different occasions. The first remark was made during January unit level drill weekend. ██████████ was going around introducing himself and when he introduced himself to me and after a few minutes of our conversation, ██████████ started making fun of my accent and asked if I had to take an english proficiency exam and when I said I did his next remark was "I thought they stopped giving it looking at the people in the Navy now." After that incident I was approached by a few Sailors to make a formal complaint but I decided not to as I was new in the Navy and was not sure about the process.

The second remark was made during my career development board which took place on Oct. 19th 2012 @ 0900. In the presence of ██████████ and ██████████, ██████████'s behavior during the board was totally unprofessional and profanity was used through the board despite the seriousness of the official board being conducted. During the board I was asked if I was married and I answered yes. The next questions was if she is American or from back home and I answered she is Indian as well. The next question was about what is her profession and I said she is a nurse. Then I was asked what is she up to these days? I stated she was flying to England today and his remark was is she a Terrorist? These words took me by surprise and I was shocked to have my wife racially profiled due to our skin color. His comments made me feel like I'm not wanted in the Navy and most important not wanted by the MSRON 12 leadership due to the color of my skin.

██████████'s requested remedy: I have put my life on hold to come serve our country on this deployment. Going back home is not an option for me. But I feel like my career, my eval and my future in the Navy is going to be jeopardized after this formal complaint. I do not believe that I would receive the same treatment as other Sailors would from ██████████. I would like you to do whatever is necessary so it would not happen again and so that no one else should be racially profiled due to their skin color. I am glad that I have a CPO Mess on my side to get me through this."

I have ██████████ written formal complaint on file.

Below you will find the initial conversations I have had with the above Sailors. My Commanding Officer, CAPT Hunter is very involved, aware and concerned with the situation at hand. Will the personnel who traveled here to conduct interviews be summarizing their findings and forwarding them to us?

Thank you for your time and assistance with this matter, (The email below as stated is the previous convo) Very Respectfully,

██████████

PREVIOUS SUBMISSION OF CMEO COMPLAINT SUMMARY -----Original Message-----
From: ██████████
Sent: Tuesday, November 27, 2012 1:05 AM
To: ██████████
Cc: ██████████
Subject: RE: POC

██████████,

As of right now, the only information that I received was on the November 21st from a phone call from ██████████, who is apart of the boat crew. He stated that he made a call to the IG hotline and requested advice on how to handle ██████████'s racist and inappropriate comments that he made to a few of his Sailors.

██████████ had stated two if his junior Sailors have complained about ██████████ comments as follows:

A 2nd Class PO of Indian Ethnicity was approached by ██████████ and he had asked th PO2 if he was married? The PO2 replied yes and then ██████████ had asked if it was

arranged.

Another 2nd Class PO, female, was told that she needed to change her hair color back to blonde from the current color of brown because she looked "ugly". I did speak with this PO2 on a mentor/mentee basis and asked if she was ok or had any issues with anyone within the command and she did state she felt as if [REDACTED] did not like her and she felt uncomfortable around him. She was concerned because she had to stay in the same hotel as him during deployment. She never asked to have any formal complaints submitted but was simply asking her leadership, [REDACTED] for guidance.

MSRON12 recently had a open Captain's Mast for the BMF Leadership, [REDACTED] who comes from Det Earle New Jersey. During ULTRA, they were violating the CO's policy on no outside food, etc. and the CO ultimately demobilized [REDACTED] and submitted a letter of reprimand in his record.

[REDACTED] and [REDACTED] were very close and came from the same Det originally. At the end of my conversation with [REDACTED] on the 21st, he started to express his dislike and aggravation over the demobilization of Senior Ruella.

At this point all I have done is placed a memo in my file and am waiting for any further direction since there was no complaint actually submitted through me. I advised [REDACTED] of his options, formal and informal and that I am here to assist with which ever process he chooses to proceed. I did ask [REDACTED] if he submitted a formal IG complaint and he said no and that all he was seeking was guidance from the IG hotline. I did ask [REDACTED] why did he not attempt to contact me first and use the levels of reporting and he said he did not want to bother me with the close departure of the deployment and he was concerned that upper chain of command would not proceed.

[REDACTED] has a reputation for talking and complaining a real lot at MSRON 12 especially when it comes to the formalities of the command operations.

I have had no further feedback other than [REDACTED] stating that [REDACTED] s have chosen to handle this at their level?? I am not sure what that means in relations to a formal CMEO complaint.

Again I apologize for not talking to you sooner. I am set to brief the CO tomorrow am, Wednesday on the current standings of the phone call [REDACTED] has made to the IG.

I am standing by to assist further,
V/P
[REDACTED]

Very Respectfully,
[REDACTED]

From: [REDACTED]
Sent: Monday, December 03, 2012 11:15 PM
To: [REDACTED]
Subject: RE: CMEO Update - [REDACTED]

[REDACTED],
Thanks for the heads up but this is a first heard for me on meeting with the Mess. It might be [REDACTED]. He should be there in country to help out.

I would agree on the disconnect. All of this is to figure out what the correct course of action is and make adjustments so everything can get back on an even keel. There should be two individuals coming out to speak with various Sailors there at the command.

As for the paper survey, I'll get back to you this afternoon (or when you see my response) so you can get started on that.

R,

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

From: [REDACTED]
Sent: Monday, December 03, 2012 12:35 PM
To: [REDACTED]
Subject: RE: CMEO Update - [REDACTED]

Thank you for the follow up. I was just speaking with the CO on where we stand.

I also just spoke with [REDACTED], he stated he will be meeting with you tomorrow and the rest of the CPO mess.

Obvioulsy we are going to be doing a paper copy DEOCS survey. How can I go about ordering that with the DEOMI site down?

I do want to let you know that for the most part the E6 and below at this command work well together and have a strong commraderie. There is a disconnect somewhere between the O's and CPO Mess. It is more apparent now then ever.

V/R,
[REDACTED]

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

From: [REDACTED]
Sent: Monday, December 03, 2012 9:30 PM
To: [REDACTED]
Subject: RE: CMEO Update - [REDACTED]

Got it! Thanks for working this out. I completely understand how the resources are out there.

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

From: [REDACTED]
Sent: Monday, December 03, 2012 12:03 PM
To: [REDACTED]
Subject: FW: CMEO Update - [REDACTED]

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

From: [REDACTED]
Sent: Saturday, December 01, 2012 5:17 PM
To: [REDACTED]
PO1 USN CTG-56.7 DET JEB
Subject: CMEO Update - [REDACTED]

Please excuse my sending from my personal account. Assets are difficult and restrictive over here.

WITNESS STATEMENT

██████████
Name

██████████
Rank/Rate

██████████
SSN

MSRON 12
Command

██████████
Department/Division

Jeb Ali
Location for next 30 days

██████████
Phone

I have been in the military since 2002. I was active duty for three years. I joined ~~the~~ MSRON 12 as a rip to fill for the deployment August 24, 2012.

I heard a rumor that the CO was never weighed in for the most recent PRT and has never taken it, but I do not know anything firsthand.

██████████: I come to work one day and I was told the CO wanted to see me. CAPT Hunter asked me - "why do I have sailors disobeying direct orders? I have two sailors who were directed to come see me but neither has come to see me." I replied that I did not hear about an order to ██████████ - the order did not go through me. I did not know how the order was conveyed. He asked me "how are we going to fix this?" I replied that one of the issues might be the sensitivity of the issues and ██████████ might be uncomfortable have a meeting with the CO alone. I told him that it would help if somebody come into the meeting with ██████████, and CO said it was not an option for Johal to be accompanied. On subject like the one involving ██████████, I do not believe a sailor should ever have a one-on-one conversation with the CO, closed door, under such circumstances. I advised ██████████ to go the meeting, set up for 1300, but leave the meeting immediately if he becomes uncomfortable. I asked ██████████ to see me after the interview. I went in and out of the area around the CO's office, because I was worried and did not feel comfortable with ██████████ being in there alone. The door was closed. I just tried to get a gauge of how the meeting went with the CO when he returned. ██████████ said he did not like the way the issue had been handled, but he somewhat satisfied that at least something had been done. I never had any inkling that there was any ongoing investigation. The CMEO never talked to me. I know that after the meeting, a lot of attention was paid to getting Johal to religious services. The meeting was Jan 13.

On 19 Nov 12, I know that CO and CMC had been notified about a complaint ██████████ had. In a hotel lobby, I know that ██████████ and CO approached him at the bar. I thought it was inappropriate that leadership approached him then - my understanding is that after a complaint has been filed and an investigation is ongoing, leadership is not supposed to approach the complainant about the matter.

In regards to ██████████'s roommates allegedly bringing prostitutes to the room: Johal said he felt threatened by his roommates because he had reported them regarding the prostitution. He was afraid. I verbally counseled the two Petty Officers who allegedly did wrong, explaining that it was not ██████████'s fault, that they were in the wrong, they should not hurt him, and they

should stop all rumors that [REDACTED] is a threat. I was pretty strong in my language with the [REDACTED] and the third class. After conversation, I felt comfortable that the two were not a threat to [REDACTED]. [REDACTED] was still uncomfortable living with the sailors, and I helped ensure [REDACTED]'s room was changed. Since then, he has never indicated that he feels threatened.

[REDACTED]: Above average sailor, good moral character, hard worker - the Chiefs have good things to say about him, he never complains. He has all the characteristics that would make a good officer. He has Masters Degree and is working on a second one.

Command Climate: I came into this deployment with a fresh set of eyes, mobilizing August 24th 2012 - it has been one of the most painful experiences I have ever been through. Some of the things I have seen going on should not happen - the way the CO speaks to officers, talks to myself. He may get results, but does not use the right methods to get those results. It makes my stomach turn as an officer, the way he handles things.

Intimidation: One example - he threw coins at the XO, CAPT Seeberger. CAPT Seeberger told me about it. We were getting ready to go on the carrier. He was in the office with CAPT Hunter, the CO was talking to him about the mission was being carried out, and as the XO was walking out, the CO said "this is from David P. Hunter, make sure the carrier gets in alright." I think the CO felt like the XO should not have gone - OPS should have gone and the XO should have stayed back.

I do not trust CO. When anything gets tough in the command, he is the first to shed responsibility and place blame on everyone except himself. He lied to me regarding pulling boat crews off the water after they have an incident so they can debrief him (CO said pull them off for three days in a row, we did, and the last day of FEP insisted he never wanted them pulled off the water afterward).

When the CO talks to [REDACTED] via VTC, when other Commanders are on line, the CO will abruptly cut off [REDACTED] when he tries to speak in a belittling manner.

[REDACTED] witnessed the CO belittling, publicly, [REDACTED] during NIEX, and he later told me that he had never seen a CO treat another [REDACTED] the way he treated [REDACTED]. Perhaps [REDACTED] is not the strongest officer, but CAPT Hunter talks to him like [REDACTED] is a five-year-old in front of all ranks.

Sometimes he has berated me to the point where I feel in fear of my safety - I am not sure what his next action will be. As a police officer in the civilian world, when I have seen such rage, it often leads to things getting physical.

I have never seen him poke or push anyone. Since this investigation began, he has for the first time been treating me as a human being. I think he has serious personality disorders and things will go back to the way they were once the Investigating Officer leave. In

the last few days, he has been telling me how much I have improved and how great I am.

The first day in UAE, the CO came to me and said the Chiefs and Officers are not working together. I replied that the Chiefs do not feel like they have a say in the command. CAPT Hunter started screaming "who told you to say that, you better take this seriously, etc." I begged him to calm down. He calmed down after I asked him to calm down about five times.

The way he treats and talks to the XO - I have never seen anything like it.

I think he has a hatred for Reservists even though he is one.

He will pit people against each other - saying hey, "I heard the Chiefs said this..., the officers say this..." He often changes his mind, saying he did not say certain things that he did say.

What would you recommend be done to improve command climate and command morale? Remove the CO.

I swear (or affirm) that the information in the statement above is true to my knowledge or belief.

[Redacted Signature]

3 FEBRUARY 2013

Date

Sworn to before me this date.

[Redacted Signature]

3 Feb 2013

Date

WITNESS STATEMENT

██████████
Name

████████████████████
Rank/Rate

██████████
SSN

MSRON 12
Command

████████████████████
Department/Division

Jeb Ali

Location for next 30 days

Phone

I have been in the military since May of 2002. I have been attached to MSRON 12 since July 2012.

I am the MSRON-12 Legal Officer, I have been the Legal Officer since 31 October 2012 when I graduated from the Navy Legal Officer course.

I know of no investigations into the ██████████ CMEO complaint against ██████████ ██████████. I was not informed of the case in any way until ██████████ asked for legal advice when the CO directed a meeting with him privately on 24 December. He asked: "Do I have the right to have my chain of command present with me during my interview with the CO?" He also asked since he had received a text message 61 days after he had attempted to file his complaint, if the command was trying to allow the 60 days statute of limitations to pass.

A PI was being conducted into a liberty buddy policy violation by MMFN Hendricks by ██████████. During the PI, it came to light that two petty officers: ██████████ and ██████████ were bringing prostitutes into their hotel suite, where ██████████ is their roommate. ██████████ was upset by this, and moved onto the couch in the living room of the suite to distance himself from the prostitutes and spent a lot of time in the lobby of the hotel. ██████████, when approached about the incident, refused to make a statement and invoked his right to counsel. ██████████ made a statement saying that they did have girls up in the room, but they were friends from previous deployments. We asked CAPT Hunter if we could engage NCIS to visit the hotel to get information from the hotel, namely, the visitor log and security camera tapes. CAPT Hunter said no. We did foreign contact interviews for the two petty officers security clearances, because the women are Pilipino nationals. The case was dropped, CAPT Hunter decided the PI did not need to go forward even though on the surface it appeared that a Trafficking in Persons incident could have been occurring. Furthermore, both petty officers are married.

It is my belief that CAPT Hunter did not want to open the issue, that the command would be further distracted from operations.

There was a lot of confusion about the urgency of CAPT Hunter's order to see ██████████ privately. This led to confusion and more concern on the part of ██████████.

I swear (or affirm) that the information in the statement above is true to my knowledge or belief.

[Redacted Signature]

3 Feb 2013
Date

Sworn to before me this date

[Redacted Signature]

3 Feb 2013
Date