22 Feb 10

From: b6 USN
To: Commander, Destroyer Squadron TWENTY TWO

Subj: PRELIMINARY INQUIRY INTO ALLEGATIONS OF AN INAPPROPRIATE RELATIONSHIP AND FRATERNIZATION BETWEEN COMMANDING OFFICER, USS TRUXTUN (DDG 103) AND A JUNIOR, FEMALE OFFICER OF THE SAME COMMAND.

Ref: (a) JAGMAN Section 0204

1. This reports completion of the preliminary inquiry conducted in accordance with reference (a) into the allegations of an inappropriate relationship and fraternization between CDR Timothy Weber, USN, Commanding Officer, and a female, junior officer attached to USS TRUXTUN (DDG 103). Legal assistance was provided throughout the course of this investigation by

b6

2. Personnel contacted:
   a) CDR Timothy Weber, USN;
   b) LCDR Ronald Walker, USN;
   c) b6
   d) b6
   e) b6
   f) b6
   g) b6
   h) b6
   i) CMC Daniel Wilson, USN;
   j) b6
   k) b6
   l) b6
   m) b6
   n) b6

3. Materials reviewed:
   a) Investigating Officer Appointment Letter (Encl. 1);
   b) Military Suspect's Waiver of Rights Form: CDR Weber, dtd 11 Feb 2010(Encl. 2);
   c) Summary of Witness Interview: CDR Weber (Encl. 3);
   d) Written Statement of CDR Timothy Weber (Encl. 4);
   e) Military Suspect's Waiver of Rights Form: CDR Weber dtd 17 Feb 2010 (Encl. 5);
   f) Summary of Witness Re-Interview: CDR Weber (Encl. 6);
   g) Summary of Witness Interview: LCDR Walker (Encl. 7);
   h) Summary of Witness Interview: b6 (Encl. 8);
   i) Summary of Witness Interview: b6 (Encl. 9);

Enclosure (3)

j) Summary of Witness Interview: b6 (Encl. 10);
k) Summary of Witness Interview: b6 (Encl. 11);
l) Summary of Witness Interview: b6 (Encl. 12);
m) Summary of Witness Interview: b6 (Encl. 13);
n) Summary of Witness Interview: CMC Wilson (Encl. 14);
o) Summary of Witness Interview: b6 (Encl. 15);
p) Summary of Witness Interview: b6 (Encl. 16);
q) Summary of Witness Interview: b6 (Encl. 17);
r) Summary of Witness Interview: b6 (Encl. 18);
s) Military Suspect's Waiver of Rights Form: b6 (Encl. 19);
t) Summary of Witness Interview: b6 (Encl. 20);
u) Summary of Witness Interview: b6 (Encl. 21);
v) Military Suspect's Waiver of Rights Form: b6 (Encl. 22)

4. Summary of findings:

This investigation was initiated after allegations surfaced of an inappropriate romantic relationship between the Commanding Officer, USS TRUXTUN (DDG 103), CDR Timothy Weber, USN, and a b6 junior officer of the same Command. The initial allegation was forwarded to Commander, Destroyer Squadron Twenty Two by an active duty Navy Captain. This Navy Captain's spouse is friends with the spouse of CDR Weber. She had indicated that CDR Weber's wife had mentioned to her that CDR Weber was involved in an on-going, romantic relationship with a female, junior officer from his command. The Navy Captain felt it was his duty to bring this information forward considering CDR Weber was in command of a U.S. Naval vessel and in clear violation of both naval regulations and Navy core values.

This investigation substantiated the allegation as detailed above, in that a relationship between CDR Weber and b6 was established. This relationship began in June, 2009, during a port visit in Mayport, FL. The relationship further developed in July, 2009 when CDR Weber spent the night at b6 apartment after a night of socializing with junior officers from the wardroom in Norfolk, Virginia. This relationship appears to be on-going to the present time.

This investigation began on 11 February 2010 with an interview of CDR Weber by the Investigating Officer, in which CDR Weber, after receiving proper rights advisement, denied any and all improper relations between himself and any member of his crew.

Several members of the wardroom were then interviewed as detailed in the enclosed summaries of witness interviews. Through the course of these interviews, it became apparent that CDR Weber had engaged in several questionable interactions with junior officers of his Command. It was discovered that rumors existed among some of the junior officers in the wardroom that a possible inappropriate relationship may have transpired between CDR Weber and b6 during a Mayport, FL port visit in June 2009.

b6 had previously been the top-performing b6 on board TRUXTUN until her downward spiral after the summer months of 2009 which eventually lead to her b6 b6 in November 2009 and removal from the ship b6 in December 2009. She is currently assigned temporary duty to b6 .

b6 was interviewed on 12 February 2010 and denied any relationship with the Commanding Officer, as well as any inappropriate relationships with any officer of the USS TRUXTUN. She was asked on multiple occasions about the circumstances of her professional demise while on board. She indicated that b6 . She also stated that b6 b6 b6 She denied that .

The Commanding Officer, CDR Weber, was then re-interviewed on 12 February 2010. At that time, and upon rights advisement, he exercised his Article 31(b) rights under the Uniform Code of Military Justice and requested to seek counsel prior to further questioning.

At 0800 on 17 February, the Investigating Officer and Legal Advisor met with CDR Weber on board USS TRUXTUN. CDR Weber provided a written statement (see Encl. 4) in which he requested to retract his prior testimony and admitted to an inappropriate, on-going, consensual, and physically intimate relationship with a junior officer who was under his Command. A subsequent re-interview of the Commanding Officer revealed, after proper rights advisement, that the female in question was in fact, b6 USN. This interview occurred at 0900 on 17 February on board USS TRUXTUN.

CDR Weber indicated that the relationship is on-going to the present with b6 and that he has seen her within the past week, as well as spoken to her since her interview related to this investigation held on Friday, 12 February. Because of the

long-standing nature of this relationship that encompasses the period of time related to b6 , we cannot rule out the possibility of b6 b6 . A summary of this interview is attached (see Encl. 6).

b6 was re-interviewed by the Investigating Officer and Legal Officer at 1100 on 17 February. After proper rights advisement, b6 exercised her right to consult with counsel and terminated the interview.

b6 then consulted counsel on the morning of 18 February 2010. She was then contacted by the Legal Advisor to resume the interview and she again exercised her right to remain silent and refused to cooperate further with this investigation.

5. Recommendations:

Based on CDR Weber's written testimony, I believe he is in violation of Article 92 (Fraternization), Article 134 (Adultery), and Article 107 (False Official Statement). I recommend that CDR Timothy Weber, USN, be relieved of Command of USS TRUXTUN (DDG 103). CDR Weber has engaged in an inappropriate, sexual relationship with a female, junior officer of his Command. With regard to this investigation, he has made several false official statements and thereby intensified the scrutiny and intrusive nature in this matter and further infected the wardroom on board, while at the same time, calling his own credibility into question. His inappropriate relationship with b6 is a clear violation of the Navy fraternization policy and raises doubts about his judgment, fairness and his ability to properly lead the officers and crew under his Command.

I recommend that CDR Weber be disciplined by his Immediate Superior in Command via Non-Judicial Punishment. His inability to follow naval regulations should be made a part of his permanent record.

I believe b6 is in violation of Article 92 (Fraternization) and Article 107 (False Official Statement) and similarly recommend that b6 be disciplined via Non-Judicial Punishment for her violations of naval regulations.

I recommend a Command Climate Survey be conducted on board USS TRUXTUN (DDG 103) at the earliest opportunity to determine what the command climate onboard is in order to formulate a plan of action to restore this command to health as required.

With regard to other possible fraternization misconduct on board, the extent of inappropriate relations among crew members and the knowledge or perception associated thereto must be examined and properly addressed by the new Commanding Officer.

b 6

DEPARTMENT OF THE NAVY
COMMANDER
DESTROYER SQUADRON TWENTY-TWO
UNIT 60018
FPO A.E. 09506-4721

5800
Ser N00/010
11 Feb 10

From: Commander, Destroyer Squadron TWENTY-TWO
To: b6

Subj: PRELIMINARY INQUIRY INTO ALLEGED FRATERNIZATION/ADULTERY BETWEEN THE COMMANDING OFFICER AND MEMBER OF THE CREW OF USS TRUXTUN (DDG 103)

Ref: (a) JAG Manual

1. This appoints you, per chapter II of reference (a), to inquire into the facts and circumstances surrounding the alleged fraternization/adultery which occurred onboard USS TRUXTUN (DDG 103) between the Commanding Officer and a member of the crew.

2. Investigate the alleged misconduct and recommend appropriate administrative or disciplinary action. Report your findings of fact, opinions, and recommendations in letter form by 17 February 2010, unless an extension of time is granted. If you have not previously done so, read chapter II of reference (a) in its entirety before beginning your investigation.

3. You may seek legal advice from b6 USN of DDG CLASSRON during the course of your investigation.

R. A. ROGERS

Enclosure (3)

DEPARTMENT OF THE NAVY

MILITARY SUSPECT'S ACKNOWLEDGEMENT AND WAIVER OF RIGHTS

Place: NAVAL STATION NORFOLK, BLDG CEP-41

I, CDR TIMOTHY WEBER, USN

have been advised by b 6

that I am suspected of VIOLATING UCMJ, ARTICLE 92(FRATERNIZATION), ARTICLE 134(ADULTERY)

I have also been advised that:

(1) I have the right to remain silent and make no statement at all; TRW

(2) Any statement I do make can be used against me in a trial by court-martial or other judicial or administrative proceeding; TRW

(3) I have the right to consult with a lawyer prior to any questioning. This lawyer may be a civilian lawyer retained by me at no cost to the United States, a military lawyer appointed to act as my counsel at no cost to me, or both; TRW

(4) I have the right to have my retained civilian lawyer and/or appointed military lawyer present during this interview; and TRW

(5) I may terminate this interview at any time, for any reason. TRW

I understand my rights as related to me and as set forth above. With that understanding, I have decided that I do not desire to remain silent, consult with a retained or appointed lawyer, or have a lawyer present at this time. I make this decision freely and voluntarily. No threats or promises have been made to me.

Signature: T R W

Date & Time: 11 Feb 10 / 1652

b 6

Witnessed:

11 Feb 10 1652

Date & Time:

At this time, I, _____ desire to make the following voluntary statement. This statement is made with an understanding of my rights as set forth above. It is made with no threats or promises having been extended to me.

(Encl 2)

OPNAV 5527/3 (DEC 1982)

Enclosure (3)

CLEAR

Witness Interview – CDR Timothy Weber, Commanding Officer
USS TRUXTUN, 11 February 2010

Interview conducted at DESRON 22 Office Space, Conference Room

- CO was shocked at the allegations of inappropriate sexual relationship with a female junior officer on board his ship. Very surprised.
- He works with his crew but has had no inappropriate relationships.
- He kept things professional. He has nothing else to say on that.
- He poured blood, sweat and tears into this ship.
- Relied heavily on old b 6 to fill the XO's role since she was rather weak. Also relied heavily on old b 6 .
- Listed the Female Junior Officers on board:
  - b 6 – can't think of anything that could be misconstrued as too close;
  - b 6 – never anything more than seeing her at group functions;
  - b 6 – nothing there;
  - b 6 – she just reported from OCS;
  - b 6 – always had that role;
  - b 6 – can't remember her name, but absolutely nothing with her;
  - Other females that left the ship:
    - b 6
    - b 6 left over a year ago:
- Recalls several outings with the Wardroom most notably: Beer Garden event in Portsmouth – always in mixed company and always during the day;
- Some events included spouses, others did not;
- Freemason Abbey – his spouse did attend this function;

- He moved his whole family to Pascagoula when the ship was being built.
- While living down there, he did go out on numerous occasions with the b 6 and b 6 , as well as the b 6 – all male.

- When asked about his personal family life, CO mentioned that there were no issues at home – other than his wife being busy with four kids.
- There have been several discussions about his pending orders to Millington and whether to move the entire family down there – or whether to Geo-Bachelor. They are figuring this out…it is a challenge.
- His normal work hours: arrives shortly after Colors and leaves the ship between 1500 and 1730. He has not spent any nights on board the ship – other than underways. One exception was during the week of LCOA. He has come in on weekends occasionally and over the Christmas holiday since he did not take any leave.
- He and his wife have one residence and they own no rental property or otherwise in the area.

(Encl. 3)

17 Feb 2010

From: CDR Timothy R. Weber, USN/1110
To: Commander, Destroyer Squadron Twenty-Two

I respectfully request that you allow me to retract my answer to your question surrounding the validity of the allegations made against me. I have been involved in an inappropriate relationship while in Command of USS TRUXTUN. The relationship was with a junior officer previously under my command, was consensual in nature and did not involve any coercion, intimidation, harassment, threats or favoritism on my part.

I had a serious lapse in judgment that led to a grave professional and personal mistake—a mistake that is inconsistent with my over 19 years of honorable service. My family is aware of my situation, and my wife of 17-years has been aware of my relationship with this officer for some time. We have been in counseling for the past four months, and I deeply regret the pain I have caused her and my four children. My worst fear would be for my mistakes to destroy the incredible sacrifices they have made while supporting my career and the Navy. The hardest conversation I have ever had was when I sat my older boys down and told them of my mistakes.

Over my entire 32-months in Command of PCU/USS TRUXTUN I believe I never compromised the integrity of the Command; morale is high and we have a proven track record of successes, most recently LOA, MRI, Nav Checkride and Air Certification. In my time as CO, we have had zero DUIs and only one drug related case (a deserter). We have performed exceptionally well during all operational tasking, to include independent sub escort across the Atlantic and an entire summer of Combat Systems testing, which included six live missile firings and hundreds of rounds fired from our 5" gun. Further, we conducted a highly successful Search and Rescue mission in the Gulf of Mexico, saving a father/daughter sailing team that had been adrift for 5 days. The ship has a solid reputation, supported by a recent breakout FITREP from
b 6 .

Despite these Command successes, I understand that I have made serious errors and take full responsibility for my personal conduct. It is my belief, however, that through all of this, I maintained TRUXTUN in a high state of readiness. I am distraught over the ramifications my actions may have on the ship and her great crew.

I understand that my actions have compromised my career and that I am owed absolutely nothing by you or the Navy. Nevertheless, I am hopeful that you will be willing to take my past honorable service into account and that you will consider the following possibilities:

1. I respectfully request to be allowed to remain in Command until an accelerated Change of Command can be arranged and then retire at the earliest opportunity (retirement eligible on 11 May 2010). This course of action would minimize the negative fallout on this great crew and certainly would minimize any further embarrassment to my family and the Navy, including our Ship Sponsors and the many supporters of TRUXTUN associated with our recent Commissioning in Charleston, SC.

Enclosure (END (3)4)

2. If option 1 is out of the question, I would deeply appreciate being allowed to step aside now as quietly as possible while being allowed to preserve my retirement for the sake of my family. They have endured 9 moves in 16 years and countless other challenges and difficulties common to all Navy families. If I don't deserve this, then I feel strongly that they certainly do.

The fault for all this falls squarely on my shoulders, and I can only blame myself for the current situation. I truly love the Surface Navy and our great officers and sailors and apologize for my actions.

Very respectfully,

Timothy R. Weber
Commander, USN

DEPARTMENT OF THE NAVY

MILITARY SUSPECT'S ACKNOWLEDGEMENT AND WAIVER OF RIGHTS

Place: USS TRUXTUN (DDG 103)

I, CDR TIMOTHY WEBER, USN

have been advised by b6

that I am suspected of VIOLATING UCMJ, ARTICLES, 92, 107, 134

I have also been advised that:

TRW (1) I have the right to remain silent and make no statement at all;

TRW (2) Any statement I do make can be used against me in a trial by court-martial or other judicial or administrative proceeding;

TRW (3) I have the right to consult with a lawyer prior to any questioning. This lawyer may be a civilian lawyer retained by me at no cost to the United States, a military lawyer appointed to act as my counsel at no cost to me, or both;

TRW (4) I have the right to have my retained civilian lawyer and/or appointed military lawyer present during this interview; and

TRW (5) I may terminate this interview at any time, for any reason.

I understand my rights as related to me and as set forth above. With that understanding, I have decided that I do not desire to remain silent, consult with a retained or appointed lawyer, or have a lawyer present at this time. I make this decision freely and voluntarily. No threats or promises have been made to me.

Signature: T M Weber

Date & Time: 17 Feb 10, 0904

Witnessed: b6

17 Feb 10 0905

Date & Time:

At this time, I, _____ desire to make the following voluntary statement. This statement is made with an understanding of my rights as set forth above. It is made with no threats or promises having been extended to me.

(ENCL. 5)

OPNAV 5527/3 (DEC 1982)

CLEAR
Enclosure (3)

Witness Interview – CDR Timothy Weber, Commanding Officer
USS TRUXTUN
17 February 2010

- This re-interview began at 0904 on 17 February 2010 after CDR Weber provided the Investigating Officer with a written statement recanting his verbal statements from last Thursday's interview of 11 February 2010.
- At first, the CO did not want to mention the identity of the female involved in this investigation with whom he has now admitted to having an inappropriate relationship.
- There was a lot of embarrassment and personal failure.
- He identified the female as b6 USN, a junior officer previously attached to his ship.
- This was a mutual relationship that began in early June of 2009. It started in a port visit in Mayport, Florida.
- The relationship began due to many conversations about her security clearance – b6
- She was putting together a package to overcome this and the former XO was incapable at the time to assist.
- b6 at the time was not supporting this.
- At this first port visit in Mayport in 2009, they discussed this very late one evening - after 2300. They took a walk on the beach to discuss it. During the course of the walk, inappropriate contact occurred.
- The Investigating Officer asked about this walk and what other officers may have witnessed this interaction. The b6 and CO had been on the beach. They all went back up to Admin and it was later that the CO and b6 returned to the beach. The people staying in Admin may have seen them leave.
- When they came back to the room much later, their magnetic key cards were not working and they had to knock. b6 answered the door and immediately went back to sleep. b6 was the only one he believes could have seen them.
- The sleeping arrangement that night: b6 had a single bed to himself, as did b6 b6 was on a queen sized bed and the CO lay down next to him. b6 slept on a pull-out bed in the same room as the CO and b6 in the corner.
- b6 left the next morning very early to go with several other crew members to Sea World.
- The next inappropriate interaction between the CO and b6 occurred in early July back in Norfolk. This was when the ship pulled back in permanently and the CO's family was still in Pascagoula. The CO was living on the ship.
- He went to b6 apartment in Norfolk and went out with him, the b6 b6 b6 Thirty minutes after he arrived at b6 apartment, b6 arrived. This was not pre-arranged.

(Encl. 6)

Enclosure (3)

- The group initially went to Red Dog for dinner and they were sitting at a side-walk table. b 6 and his wife showed up for a while and joined them at this table.
- The CO was sitting on the opposite side of the table from b 6 They then took cabs to lower Granby Street and went to two different bars. The group still consisted of b 6 , b 6 , b 6 , b 6 and the CO. b 6 was the first to leave that evening.
- The CO then left to hail a cab to return to the base. As he was standing waiting for the cab, b 6 came out of the bar and said she needed to get back too.
- Nothing happened at the bar, however CO put himself in a bad position.
- When b 6 got into the cab, the intent was to take her the 5 blocks to her apartment and drop her off. However, when they got to her apartment, she invited the CO in and he spent the night with her.
- The CO then took a cab home the following morning back to the base and came back for his car later.
- According to the CO, their ship-board/professional relationship did not change. She was the top-performing b 6 at that time.
- At some point, she did b 6 and her performance changed. The CO was not informed b 6 b 6 b 6
- The CO's wife has been aware of this relationship. They have been having marital problems and are trying to work through this. His wife has known since the latter half of the summer.
- When asked how his wife knew about the affair, the CO said that he admitted to it after his wife confronted him about it.
- The relationship was still on-going – and remains on-going to the present.
- The CO would not answer the question as to where he is currently living. He admitted that he is not staying with his wife in their home and that he is sometimes staying with a friend.
- The CO has spoken to b 6 since last week. She mentioned to the CO that she had been interviewed as part of this investigation.
- The CO admitted to staying at b 6 apartment previously but that he never slept at b 6 apartment.
- When asked about his trip to Newport, Rhode Island while three of his junior officers were at b 6 the CO indicated that he proposed the trip to meet with b 6 to get a better understanding of the transition from paper to electronic navigation. While there, he was able to meet with fellow officers at the Command Leadership School and other courses, as well as visit with family that he has in the area.
- He admitted that b 6 b 6 and b 6 were all up in Newport at b 6 at the same time. The CO denied having any interactions with any of the officers while there. He initially said he did not see any of them there, but when confronted with the information that he witnessed b 6 in

(Encl. 6)

Enclosure (3)

the Simulator, he confirmed that he did pop in to observe b 6 at that time.

- He did not have any social interaction with the three junior officers because he knew that b 6 and b 6 were friends and he did not want to be compromised in others discovering the relationship.
- There was another interaction in September 2009 after their time at BAE, that a group met a Red Dog on the way home to have a few drinks in the early afternoon. The CO was already there, but b 6 b 6 and b 6 also showed up, as well as several b 6
- The CO did not think anyone would pick up on their relationship or on any signals as he thought he was careful.
- The CO had no ideas of rumors on the ship although he was quite stressed out about the risks involved.
- Before b 6 had left for b 6 her Department Head had expressed concerns to the CO about her. The DH thought she was having a bit of a cocky attitude. The CO got the old XO involved. Although he was still in a relationship with her, he was trying to keep his personal and professional life separate.
- Although she was having difficulty with the b 6 the CO trusted the b 6 – who has recently screened for a b 6
- The CO knew that b 6 may have been seeing other people; they never discussed having an exclusive relationship.
- The relationship was on-again / off-again throughout September. His wife knew about it and it was rather traumatic at home.
- The CO would see her a couple of times per week. He would go over to her place, meet up for lunch and things of that sort.
- b 6 did have roommates – though he only knew the one civilian one. He never met any of her military roommates.
- The relationship with b 6 is still on-going – although they have not seen each other recently. He is separated from his wife and they are working to establish a friendship for the sake of the children.
- He does not have any other residences nor is he renting any other space. He does not live on the ship because he never thought it was a good idea for the Captain to be living on the ship.
- When asked about b 6 spiral downward, the CO did not know why specifically. The b 6 came to talk to him after she returned from They transferred her to the b 6 to give her a fresh start. b 6 had not done well in INSURV and she became b 6 They needed leadership.
- At some point b 6 mentioned she was not on her game and brought her to see the b 6
- b 6

(Encl. 6)

Enclosure (3)

- The CO was not worried about b 6 keeping their relationship discreet. He thought about it, but the relationship never had any friction, jealousy or animosity. CO thinks she had a difficult upbringing – bouncing from school to school and with her family moving around.
- Nothing ever led the CO to believe he had Command Climate Issues. He talked about perception issues with the crew.
- He believes the interaction with other officers was spread over so many months apart that his actions did not infect the crew.
- There were 2 occasions he had to talk to b 6 and b 6 about perceptions when there were rumors of an affair between them. This was around 9 months ago after going to Wallops Island. XO counseled the female and he counseled the male.
- He did not think his interactions with b 6 were that prevalent nor that there was a favoritism or perception issue. Despite the fact that b 6 was the b 6 and b 6 was the b 6 , those rankings did not come from him but were recommended up from the b 6 the old XO. He just bottom lined.
- b 6 had been a capable officer and is slated to be the next b 6 His interactions with b 6 were professional – mostly in his duties as b 6 at the Command.
- When asked about b 6 watching his kids on board, he denied this. He did say that b 6 and fed his cats at his personal residence after his family moved to Norfolk while he and his family were away on a trip. He and his wife offered to pay them, but they declined. The CO's wife then bought them nice steaks as a gesture of gratitude. He did not think this broke any boundaries asking them to do this. He had initiated the request through his b 6
- He was aware that b 6 and b 6 were friends. He heard rumors about them being together. He was concerned from the stand-point of hearing rumors, but did not think anything of it.
- He had heard rumors of b 6 and the b 6
- When asked by the Investigating Officer, the CO mentioned that the last Command Climate Survey was completed about 5 months ago and he did not see any systemic issues.
- He tried to treat all the b 6 with respect and do the proper mentoring. He would have the b 6 counsel them and then he did a counseling with all b 6 as well.
- He was aware that the b 6 and b 6 lived together. He did not think anything was wrong with that. The b 6 wife was in Maryland and the b 6 would go home on the weekends to see his kids. He had asked to take a room from b 6 and CO agreed.
- The CO does not think b 6 is aware of the relationship.
- While his judgment was poor, he believes his ability to command the ship was strong.
- CO indicated that any mixed gender ship will have rumors.

(Encl. 6)

- The Investigating Officer indicated the severity of the situation in that the relationship is on-going. A concern was expressed for both the CO's wife, as well as b 6 and a discussion followed about the

  b 6

- The CO claims he did not have any collusion with b 6 and only told her that he could not talk about the investigation.
- When asked, the CO admitted that b 6 has said she loves him.
- The CO had no excuse as to why he lied and did not come forth with honest information in the first interview. He apologized for the wasted time in holding the investigation and in coming through the Wardroom. He was concerned about his family and even though he was owed no retirement or anything from the Navy, he believed his family did and he did not want to punish them further.

Witness Interview – LCDR Walker, XO, USS TRUXTUN (DDG 103)
11 February 2010, 1730

- XO has not witnessed any inappropriate CO/Female Officer relationships. He has no independent knowledge.
- When asked about any speculations, XO offered that there were rumors associated with possible fraternization with male members during the Pre-Commissioning phase, but he has heard nothing about inappropriate relationships.
- XO listed the female Junior Officers:
  - b 6
  - b 6
  - b 6
  - b 6
  - b 6
  - b 6 – left the ship in Nov / Dec timeframe and never came back.
- XO relatively new on board. He has seen nothing inappropriate. His wife did have an interesting conversation with the CO's wife at a function over the holidays where his wife felt that the CO's wife wanted to be more forthcoming about something and looked like she had something to say, but did not come right out and say anything.
- The CO's wife was not informed about the CO's pending orders to Millington and looked surprised at a different party when the XO's wife was talking about this with her.

Witness Interview – b 6 , USS TRUXTUN (DDG 103)
11 February 2010

- He is the b 6 on board DDG 103.
- His b 6 is a "Facebook Friend" of the CO's wife – along with several other spouses of the officers.
- There was an odd posting by the CO's wife on Facebook where she wrote something about the fact that the ship would be underway for about 2 and ½ weeks. It was odd because the ship was only underway for about 2 days and the CO's wife clearly was misinformed about the schedule of the ship. This led to speculation as to how the wife of the CO could have been given such inaccurate information about when the ship would return.
- There was another posting that was odd because it questioned when the ship would return on 5 February 2010. It was "time posted" at about 2100 on 5 February 2010. The ship had pulled back in that day in the mid-afternoon and the CO had already departed the ship around 1800 or 1815.
- There were rumors about the CO having a close relationship with the b 6 and b 6
- b 6 worked for him and mentioned once that the training on Fraternization was hypocritical with all of the rumors floating around on the ship. When pressed by b 6 about these rumors, she wouldn't divulge what she was eluding to. This was said back in October 2009.

- There was a rumor of an inappropriate relationship between b6 and the CO.
- Back in July, 2009, he remembers the CO showing up at the apartment he had with b6 in Norfolk. The CO came over and they had a few beers, watched a ball-game, and then they went to the "Red Dog" for dinner and then went to a few bars and clubs afterwards.
- b6 , b6 , b6 , b6 and the CO were all present at this night out in Norfolk.
- He thinks the CO was living on the ship at that time.
- The CO remained out very late with them and b6 actually went home before the CO.
- He did not notice anything inappropriate between the CO and b6 that night. He did feel uncomfortable, however, and that is why he excused himself and went home when he did.
- He was roommates with b6 until recently. The CO and b6 did hang out.
- b6 , b6 and b6 all attended b6 last summer at the same time. The CO went up to Newport at the same time.
- He has heard many rumors about b6 downward slide and what brought her to leave the ship. He heard it might have been b6

- She has been with the ship since September 2009 in Pascagoula.
- She lived in the barracks for about 6 weeks before moving onto the ship.
- She lives by herself on the ship, but previously lived with
- She stood bridge watch with b 6
- She went out a few times in Mayport with b 6 - but it was always in a group.
- b 6 performed excellently as JOOD when she was OOD.
- She has heard rumors that b 6 – and this may have set her over the edge and contributed to her downward slide.
- She heard of a rumor about a relationship between the CO and b 6 She heard this rumor from b 6 . b 6 is now in b 6 at b 6
- She also heard rumors about b 6 and b 6
- b 6 was a heavy drinker and party-ier. She hung out with b 6 She was very out-going.
- She also heard that b 6 and b 6 might be involved – but that was a deep rumor.
- b 6 told b 6 that something sexually may have happened between her and the CO – but that she could not remember exactly due to the amount of drinking.

- He was roommates with b 6 / b 6
- No knowledge of inappropriate relationships with and other officers.
- He would joke with b 6 that b 6 liked her.
- b 6 and b 6 had a close working relationship and were friends, but nothing romantic.
- b 6 was married but he did come over to his and b 6 apartment often to hang out. He never noticed any inappropriate relationship between b 6 and b 6
- b 6 went to b 6 – her cell is: b 6
- b 6 is now an b 6 and in Newport. His cell is. b 6
- He went to b 6 last year at the same time as b 6 and b 6 b 6 and b 6 drove together and he went separately. He did not go out with them.
- b 6 went out a lot.

- He was roommates with b 6 and still is roommates with b 6
- b 6 and were close. Did hear of one fight between them at his apartment but did not know what it was about.
- He had heard that b 6 . He did not know her well.
- He thought b 6 was very flirty – but her last two months on board – she went into a shell.
- He thinks he heard the b 6 rumor from b 6 but that he also received a text from b 6 was friendly with b 6 .
- Besides this information, he had nothing else to add and knew of no other relationships.

- Acquaintances with b 6 at work and at ship-board outings;
- He heard rumors that she b 6 and that a relationship went wrong.
- He had heard a rumor about b 6 and b 6 being involved.
- He also heard a rumor about the b 6 and b 6
- He remembers the rumor and investigation of b 6 and the Enlisted case.
- He had heard that b 6 He heard this from the Wardroom and from b 6 . b 6

Witness Interview – CMC Wilson, USS TRUXTUN (DDG 103)
12 Feb 2010

- b 6
- CO / CMC discussed the case. CO initiated the b 6 in making the report.
- Something may have happened to b 6 at b 6 last year. She returned a totally different person. She was very withdrawn and used to be quite out-going.
- She was a heavy partier.
- CO was concerned about it. Did not remember anything else about CO's involvement in the case.
- The b 6 and b 6 had a relationship and the CMC remembers advising the CO to stamp it out.
- Did not observe any other inappropriate relationships between officers on board the ship.

- He became involved with the b 6 case after the b 6 approached him because he was concerned about her behavior. They were in the yards at that point.
- He told b 6 When she came down to see him, she was apprehensive. She said that she did not want to be there, that she was tired and wanted to go home and go to sleep. She did not elaborate on what was bothering her and he gently was probing what the source of her angst was.
- The next morning she came back to the ship, however she was out in the parking lot at BAE. She spoke with b 6 there and said that she did not feel good and that she did not want to go inside the ship.
- b 6
  b 6
- She was withdrawn and he b 6
- b 6
  b 6
- b 6

- The CO and XO b 6
- She did confide to the b 6
  September / October timeframe. She went up to b 6 last year and he believes it was the week prior.
- He asked her about her support system and she said she had a grandfather and a brother in the Air Force that she was close to.
- She remained b 6
- b 6
  b 6

- She was roommates with b 6 , but only had a professional relationship with her.
- She witnessed the decline in b 6 performance.
- b 6 went to b 6 in the October timeframe, she believes.
- She noticed her looking different after her return from b 6 – she looked groggy, almost like she could have been on crack. Things were very hush/hush in the wardroom about her.
- She did not hear of any relationships on board with b 6
- She had heard about the rumor of the b 6 and the b 6
- She was the b 6
- She did not go out with the wardroom and kind of kept to herself. She was a bit older and married – so not on the same plane as many of the other b 6
- b 6 and the b 6 would socialize on a regular basis.
- b 6 and the would also hang out. She heard that b 6 would baby-sit the CO's kids when they were on board – in his cabin.
- She heard a rumor about the b 6 and b 6 having a relationship.
- She remembers the b 6 , b 6 and b 6 all having a close relationship.
- b 6 was a heavy drinker in Pascagoula.
- She knew b 6 went quietly to b 6
- The Command now has a good Command Climate – not so much before when the b 6 and b 6 were there. It was much clique-ier then.
- b 6 is very quiet and reserved – she never really hung out with the others.
- b 6 – she never heard anything about her either- and she is new; she wasn't in Pascagoula with the rest of them.
- She now has a good relationship with the b 6 and feels that it is better now that b 6 is gone. She felt that b 6 would report stuff about her to the b 6 or say stuff that about what they talked about in their room on board. She did not appreciate this, as she would not have done the reverse to b 6 boss with the information discussed during their private conversations.

Witness Interview – b 6 , USS TRUXTUN (DDG 103)
12 Feb 2010

- He is the b 6 on board.
- b 6 was in his duty section.
- He thought she was a good b 6
- He had a close personal relationship with her – but nothing romantic.
- He did not have a sexual relationship with her either – and he did not think she was promiscuous.
- He was close with her, b 6 and b 6
- There was a rumor that b 6 and b 6 were dating, as well as a rumor that b 6 and b 6 might have been dating.
- There was a lot of speculation as to what happened to b 6 and why she went from being a top-performer to b 6
- He could not think of anything specific as to what b 6
  b 6
- He would go over to b 6 home. She lived with b 6 and
- He had a social relationship with the CO. The CO had taken him out for a beer before.
- He was present when the CO showed up at b 6 apartment and they all went to eat at Red Dog and then went to bars along Granby Street in Norfolk.
- He thinks the b 6 and b 6 were living on the ship at that time.
- He left at 0030 that night.
- He wouldn't socialize often with the CO, mostly at Wardroom functions.
- He remembers b 6 , b 6 , b 6 being there that night in Norfolk with the CO.

Witness Interview – follow up – b 6 , USS TRUXTUN (DDG 103)
12 Feb 2010

- **Follow up interview from the night before.**
- He confirmed hearing a rumor about b 6 that could have led to her spiral.
- He was not intentionally withholding this information, but remembered a few things after the interview last night. He was a little stunned the night prior when the questioning began. That's why he immediately brought b 6 to interview with the IO and b 6 when he remembered pertinent information.
- He remembers being in port in Mayport and staying at the Admin with the CAPT and a bunch of folks after drinking one night. b 6 was there, as well as b 6 , b 6 among others. He only stayed that one night – and felt a little awkward about it afterwards.

DEPARTMENT OF THE NAVY

MILITARY SUSPECT'S ACKNOWLEDGEMENT AND WAIVER OF RIGHTS

Place: USS TRUXTUN
DDG 103

I, b6

have been advised by b6

that I am suspected of violation of UCMJ, Art 92 (Fraternization), Art 133 (Conduct unbecoming an officer)

I have also been advised that:

(1) I have the right to remain silent and make no statement at all;
(2) Any statement I do make can be used against me in a trial by court-martial or other judicial or administrative proceeding;
(3) I have the right to consult with a lawyer prior to any questioning. This lawyer may be a civilian lawyer retained by me at no cost to the United States, a military lawyer appointed to act as my counsel at no cost to me, or both;
(4) I have the right to have my retained civilian lawyer and/or appointed military lawyer present during this interview; and
(5) I may terminate this interview at any time, for any reason.

I understand my rights as related to me and as set forth above. With that understanding, I have decided that I do not desire to remain silent, consult with a retained or appointed lawyer, or have a lawyer present at this time. I make this decision freely and voluntarily. No threats or promises have been made to me.

Signature: b6

Date & Time: 12FEB10 1516

Witnessed: b6

b6 12Feb10 1516

Date & Time:

At this time, I, _____
desire to make the following voluntary statement. This statement is made with an understanding of my rights as set forth above. It is made with no threats or promises having been extended to me.

(ENCL 19)

OPNAV 5527/3 (DEC 1982)

DECLASSIFIED (3)

- He returned from b 6 that morning. Last night was b 6
- He was supposed to be picking up a friend in b 6 at the airport but was called back to the ship for this interview.
- His commissioning source was b 6
- He is the b 6 and b 6 on board TRUXTUN.
- He was friends with b 6 – both on and off the ship.
- He was not friends with any other female officers – could have been because of where he lived and their locations.
- He remembers going to b 6 with her. She seemed fine at b 6 They drove up together.
- b 6 and b 6 were the other officers from the ship at b 6
- b 6 brought his girlfriend up, so he rarely saw him in a social setting there.
- He knows the CO came up because he observed him in the Simulator. He does not know if the CO observed anyone else besides him.
- He did socialize with the CO – went out as a group. It was b 6 , b 6 , b 6 and him.
- He could not remember that they met at his apartment to start the evening where the CO attended. Upon confrontation, he admitted that could have been the case. They went to Red Dog and then to Fahrenheit – a club. He did not see the CO dance.
- He had very little to offer about any port visits in Mayport because he met a girl there on their first port visit – and he would see her on all other subsequent port visits.
- He never stayed at the Admin in Mayport.
- He has no visibility on any rumors in the Wardroom – in fact, he has heard no deck-plate rumors what-so-ever.
- He lives with b 6 and b 6 .
- The b 6 and b 6 had only a professional relationship. He never heard of anything with b 6 and any other officers.
- There were problems in her Department – with her and b 6 He could no elaborate on specifics.
- She did not like her b 6 . She felt like she was being ganged up against.
- He confirmed that both he and b 6 were top performers.
- He knew that she b 6 He does not know what any of it was about. He heard no rumors concerning b 6 and does not know the circumstances that led to her spiral from being a top-performer.
- The last time he saw her was on Super-Bowl Sunday. He had a few people over – b 6 , b 6 and himself. He noticed that b 6 was quiet. She used

to be more vibrant. Now she was reserved. He remembered that she went on a cruise around Spring Break time last year.

- He had nothing else to offer and no other insight.

Witness Interview – b 6 - USS TRUXTUN (DDG 103)
12 Feb 2010

- This interview occurred in the DESRON 22 conference room. b 6 is currently working at b 6 and has been since early January 2010.
- b 6 appeared extremely nervous and fidgety at the beginning of the interview. She would not stand-up and raise her right hand to be sworn in for questioning.
- Upon the request for swearing in, she asked if b 6 b 6
- She claimed she was on the ship until 10 December 2009.
- She was the top-performing b 6 and a b 6 She was a b 6 – particularly through the ship's commissioning process – b 6 b 6
- She became b 6 . This all began in the August / September time frame.
- When asked about what the cause of this was - she responded that there were many rumors floating around about her on the ship. b 6
- A follow up question was asked on this information she provided and b 6 b 6
- She said that many of the other b 6 hated her – because she was the top-performer. She did get along with . b 6 b 6
- She went to . b 6 with b 6 and b 6 She drove with b 6
- She remembers that the CO came up to b 6 while they were there – but she did not see the CO – only b 6 did.
- She did not remember ever socializing with the CO – and certainly not inappropriately.
- She did concede that she went out in a group with the CO in Norfolk – but only after being confronted with this information.
- She did not feel that there was any undue Command and/or leadership influence upon her.
- b 6 b 6
- She did party and drink quite a bit.
- She would interact with the CO purely on a professional basis – like routing certain paperwork through him to sign-off on that only he could sign for.
- She thinks they pulled into Mayport maybe 5 times or so.
- Part of the problem on the ship was with b 6 – who threatened to pull her quals. He said she used to be part of the b 6 but was now running with the b 6
- She remembers one time getting dinged on an OPREP issue where she did not know immediately the protocol for reporting in a SITREP when someone passed

(Encl. 21)

Enclosure (3)

out on the ship. She looked up the information and had it in 5 minutes – but thought it unreasonable to get dinged on this since no b 6 could possibly know this information off the top of their head.

- She did not want to be b 6
  b 6
- She claims to be doing much better – to get back to her old upbeat self. She is glad that she no longer works on the ship and is hoping to get moved to another ship in the near future.

DEPARTMENT OF THE NAVY

MILITARY SUSPECT'S ACKNOWLEDGEMENT AND WAIVER OF RIGHTS

Place: LESRON 22
Naval Station Norfolk

I, b6 USN

have been advised by b6

that I am suspected of 107, 92, 134 UCMJ VIOLATIONS

I have also been advised that:

(1) I have the right to remain silent and make no statement at all; b6

(2) Any statement I do make can be used against me in a trial by court-martial or other judicial or administrative proceeding; b6

(3) I have the right to consult with a lawyer prior to any questioning. This lawyer may be a civilian lawyer retained by me at no cost to the United States, a military lawyer appointed to act as my counsel at no cost to me, or both; b6

(4) I have the right to have my retained civilian lawyer and/or appointed military lawyer present during this interview; and b6

(5) I may terminate this interview at any time, for any reason. b6

I understand my rights as related to me and as set forth above. With that understanding, I have decided that I do not desire to remain silent, consult with a retained or appointed lawyer, or have a lawyer present at this time. I make this decision freely and voluntarily. No threats or promises have been made to

Signature: b6

Date & Time:

Witnessed: b6

Date & Time:

At this time, I, _____ desire to make the following voluntary statement. This statement is made with an understanding of my rights as set forth above. It is made with no threats or promises having been extended to me.

b6 requested counsel. the interview was ended and she was sent to the NLSO.

(ENCL. 22)

OPNAV 5527/3 (DEC 1982)

Enclosure (3)

CLEAR