Q: Record. Okay so today is May 19, 2016. And as I said my name is [b] (6) [b] (6). I’m an investigator with Commander Navy Installations Command, Inspector General Office. And, um, could I have you state your name and...

A: Sure. [b] (6) [b] (6) [b] (6).

Q: Okay. And, um, I’m investigating case 201901079. Naval Inspector General case. Uh, actually this is just a preliminary inquiry. I wanna make sure we clarify that. It’s not, um, a full blown investigation at this time because, um, as we discussed, a Command has already done an inquiry which, um, addressed a big portion of - of what was in this complaint. But there are a few other issues that I’m gonna talk to you about too. And there may be some other developing allegations. We’ll, you know, that’s why I wanted to talk to you and get clarity around...

A: Okay.

Q: ...around your complaint. And I just wanna say again that as far as the reprisal aspect, um, that will be handled by DODIG directly or Office of Special Council or however they do that, but it’s definitely not something I’m covering.

A: That was pretty ambiguous from DOD. They said it would go to OSC. Do you know if that’s been referred or we have to f...

Q: I really don’t.

A: We’re being advised to file separately with them?

Q: I don’t. You’d have to ask DOD...

A: Okay.

Q: ...that question. But I’m gonna give you this. You may or may not already
have this. This is how you can contact OSC here. And, um, you may wish to
check with them and see if they...

A: Okay.

Q: ...have received it or check with DODIG and see if they’ve referred it or what
to expect. I - I’m not really sure. But that’s a totally separate process.

A: Mm-hm.

Q: Um, okay. So, um, before we proceed, uh, I want you to just y- uh,
acknowledge that the tape recorder’s running and you’re okay with that.

A: Yes.

Q: ‘Kay. And also, it’s okay to use your name as the complainant in...

A: Yes.

Q: ...in this case? I’m sure that’s pretty clear. Um, and now this last form is just
about the importance of being candid and truthful during an IG investigation,
which I’m sure you’re familiar with. Um, could you raise your right hand
please? Do you swear or affirm that the information you will provide is true
and correct to the best of your knowledge?

A: I do.

Q: Okay. Thank you.

A: I should’ve worn my glasses.

Q: Oh, I have an extra pair.

A: No, that’s okay.

Q: I always keep ‘em handy. I need ‘em too now. It’s terrible. All right, so the -
the - what I kinda see is that the main issue is the overtime concern. The
safety issue with the levels of overtime. Is that...

A: Th...

Q: ...would that be accurate?

A: That’s one of ‘em.
Q: Wh- okay.
A: The - the - which falls in line with the supervisory staffing.
Q: Okay. Right - right. The reason for the overtime is that the staffing is...
A: Mm-hm.
Q: ...is not there. Right. Okay, so I understand - I could see from [b]’s report which was issued December 2015 - he finished that. Um, that he made some recommendations and also subsequent to that I saw that safety here locally did an, um, operational risk management report. Which further...
A: Well that’s - that’s subjective because they did do one. We have a copy of the signed assessment they submitted to the executive officer...
Q: Mm-hm.
A: ...Commander (Sallerberg).
Q: Mm-hm.
A: However, learning recently of a meeting the Union had with the, uh, commanding officer, he said no such thing existed and it was still being worked on. So, he lied directly to the Union and we have not been officially provided a copy of the risk assessment from the Triad at Naval Station Newport.
Q: Okay.
A: Because the XO threw the safety representatives out of her office and said it was unsatisfactory ‘cause the recommendation in there was obviously if you don’t have supervisors the way to eliminate supervisory overtime would be to hire supervisors. And she told them that was not an option - it was not going to happen. So in a sense when the Captain...
Q: Now did you hear her say this or you - this is second hand?
A: No, this was all relayed to myself and [b] who at the time was the acting Security Director.
Q: And who - who relayed that to you?
A: [b] and, uh, [b]. They had come over to the building after they had met with the XO and they met with [b] and I
behind closed doors in [b]’s office and they were upset because they felt that the XO put them in a predicament. They said they were told as safety to do the risk assessment, which they did. They presented it to her and she reportedly told them what I just said - that it wasn’t going to happen. And one of the committee members was, one of the complaining supervisors and she reportedly told them to order him to write a policy to eliminate the overtime with the existing staff we had and if he didn’t that’s fine because that way she could write him up for failure to obey an order.

Q: Okay.

A: Which they felt uncomfortable as explained, you know, we’re safety. I-

Q: Has he done that - do you know?

A: [b] does not work for me.

Q: Do...

A: No, he...

Q: Oh, he doesn’t work for you so you don’t know if he’s...

A: No - no, [b] had said, “[b] doesn’t work for me.”

Q: Oh - oh, I see.

A: “I can’t order a police lieutenant to write an SOP.”

Q: Right - right.

A: So he said, “I’m not doin’ that.” Now whatever transpired after that, I have no idear, but to my knowledge...

Q: Now...

A: ...has not been given the order to write an SOP.

Q: Okay, and he works for you right?

A: Yes.

Q: You’re his supervisor?
A: He’s one of the co-complainants.

Q: So he’s never really been directed to write this SOP?

A: No.

Q: And is it feasible to write...

A: No.

Q: ...such an SOP? Is there another way around this besides...

A: No.

Q: ...hiring more people?

A: No, there’s none.

Q: Okay.

A: The directives instructions mandates certain that a patrol supervisor would do, or a watch commander would do, C&IC in their wisdom eliminated all supervisory police officer positions at Naval Station Newport with the exception of myself.

Q: Right.

A: So who is going to run the shift?

Q: Do you know if this is just applicable to Naval Station Newport or if this occurred...

A: I - from what I understand this is an enterprise wide problem. I can’t speak for sure as to what other installations where they’ve been completely eliminated.

Q: And this was in that 2012 study, right, that was done?

A: I...

Q: The MPV.

A: The MPVP - the latest one we have is from April 2014 which still has the date stamp 2012 at the bottom, and that’s when they eliminated all watch commander and supervisor positions.
Q: Okay - at Newport?

A: So the only remaining civilian supervisors within the security department would be myself and the Security Director.

Q: And military if they could be trained up to be qualified for that, right? Is that an option?

A: Well, I think that’s - I don’t even think that’s a feasible anymore ‘cause the C&IC and the DOD instructions mandated minimum training standards for MA’s and civilians. It’s another ambiguity where a civilian police officer now is hired and goes to (unintelligible). They received 485 hours of law enforcement training. That is the bar that is set now for civilians. When they come back from (unintelligible) C&IC mandates they undergo an additional 43 and a half hours (unintelligible)... 

Q: This is all civilians now?

A: Correct. Now the typical MA his requirement - now remember minimum training standards for civilians and military per DOD and the C&IC instruction they go through 260 hours MA school. It’s not the same.

Q: Okay, but here’s my question, aside from that, is there an instruction that dictates specific standards to be a supervisor on a shift regardless whether your military or civilian? Certain things that you have to meet to be a supervisor?

A: That would probably be in the NAV or the PQS, which is what qualifies you to be that.

Q: What’s that - PQS?

A: Performance Qualification Standard.

Q: Okay.

A: I...

Q: And where do I find that?

A: That would be in the NAV ED tray. I don’t know the number offhand. I want to see five - it’s the 4300 series - I’d have to get you the exact number.

Q: But that has to do with the position description. Is that what you’re talkin’
about?

A: No - no. This is uniform across the board, whether it’s a military or civilian, they’re supposed to - that’s the only document that I’m familiar with that says, you know; “In order to be a watch commander or patrolmen...

Q: That’s what we...

A: ...you should have these types of things.”

Q: Yeah.

A: But again we’re gettin’ really dated here with the NAV ED tray, for example, that’s dated 2010, the most recent one.

Q: NAV ED tray.

A: Which is the PQS for law enforcement and security positions. But yet you have instructions that come out that postdate that. You had civilian supervisor, military supervisor that...

Q: I guess...

A: ...predated that.

Q: Yeah, what I’m getting at is would it be a feasible alternative since that manning document eliminated all the supervisory positions, would military supervisors be an option if they were trained properly.

A: Anyone could fill the position. If they...

Q: As long as they’re trained properly.

A: If they were trained and had the proper...

Q: Right.

A: ...requirements. But again if you’re gonna revert back to the MPVP that eliminated those positions then the only military validated are ten reactionary force.

Q: Oh, I see.

A: That’s it.
Q: So the MPV eliminated...
A: That dictates what the position is.
Q: ...military and civilian.
A: Correct.
Q: Okay.
A: It doesn’t make the distinction. Now granted the MPVP will break down - it will say, uh, civilian billets for patrol say, you’re validated for 15.65 civilian patrol officers. You’re validated 1 civilian command investigator.
Q: So it - it eliminated the billet regardless of whether it was filled with military or civilian.
A: Correct.
Q: Okay, so...
A: But the MPVP dictates how many billets military and civilian you have.
Q: Right, okay.
A: It doesn’t distinct between position and the employee.
Q: Right or what kind of bodies in there. It’s just the...
A: Right...
Q: ...position itself.
A: ...it says we are supposed to have [D] (5) positions. That’s it. And then it breaks down the positions they hold.
Q: Right. And it’s...
A: So...
Q: ...saying zero at supervisor.
A: ...the only military positions validated for Nav- Naval Station Newport are [D] (5).
Q: That’s the only military validated.

A: Correct.

Q: Reactionary. Is that what they call ASF?

A: No, they’re a separate - they’re not facted into the MPVP.

Q: Okay. Okay, so this is my - I feel like the fundamental question here. I gotta ask you some others things, but...

A: Mm-hm.

Q: If this MPV...

A: MPVP.

Q: ...eliminated all the supervisory positions that would lead one to believe that it’s not required to have supervisory, right? Is that what - by default whoever authorized that is saying...

A: Is an idiot.

Q: It’s not required. That somehow it’s safe and good and we can meet the mission without supervisors.

A: The MPVP - without get- getting too deep - this was based on an OPM study that was done by the Congressional Budget Office years ago.

Q: Okay.

A: And they were just - the study that was done just covered supervisor to non-supervisor ratio. Period. So it said, you know, instead of one to seven the ratio should really be one to eleven or one to fifteen. One supervisor to every eleven to fifteen employees. The study, which the Navy for some reason didn’t factor in, never considered shift work. Never considered public safety occupations. And every single federal law enforcement agency has rejected it. The ones that went on record most vocally were the Marshalls and the FBI. They said, “It’s - it’s impossible. We work 24 hours a day. Our offices are spread out everywhere. Y- y- you need to have a supervisor in charge on every shift.” Well, the Navy didn’t look at it like that. They just looked at the blanket study. So whoever the bean counter was that made the decision said, “All right, you have [D] people but really you only need [D] supervisors.” Which I don’t even understand that ratio because under the MPVP that came out in 2012 - which some positions have been eliminated - but with [D] [S]
people validated in the MPVP...

Q: Mm-hm.

A: ...but the only supervisory positions would be myself and the Security Director. So it still leaves one supervisor to 30 employees. It makes no sense. And every Navy that - that law enforcement and security instruction - NTTP, OPNAV, C&IC Instructions - imitates duties that are performed and responsibilities for the watch commander. The supervisor. Well if you eliminate those positions, who’s gonna do those duties? Well when it comes to a civilian I already know for a fact that, um, (b) (5), the regional deputy Security Director for (unintelligible) had said, I believe it - don’t pin me down here - it was either Mechanicsburg or Prospect (unintelligible) or something. They said - he said, “Well, you know, they’re in the same boat as you. The director was in charge during the day. Your counterpart works the eve shift. And they put the senior patrolman in charge of the night shift.” I’m, like, “H- how does anything get done?” And when it comes to a civilian, you can’t put a non-supervisory civilian employee in a supervisory position. One, you can’t hold him accountable. Legally you can’t do it because eventually he’s gonna challenge it which was the case here in 2004...

Q: Mm-hm.

A: ...when I was the Union President. We filed an unfair labor practice.

Q: Mm-hm. Mm-hm.

A: Sergeants were work leaders. They consistently used us as supervisors without giving the benefit of the supervisory status. We filed an unfair labor practice. The FLRA came in.

Q: Mm.

A: They agreed and changed it.

Q: So one thing, too. I mean, I’m gonna have to obviously talk to some other people about this whole concept of this MPV thing, but, um, is it, like, mandatory that have to comply with that MPV?

A: OPNAV 55.30.14 Echo.

Q: So if they did fill those billets they’re violating another instruction that says they must comply with the MPV, right? There may be...

A: The OP...
Q: ...some kind of fiscal (unintelligible).

A: And again, I’m a street cop. I came from the city. So when I come in here between C&IC instructions now and you have OPNAV and SECNAV instructions. The OPNAV instruction says the MPVP is the only validated model to fund posts and fill and validate and fill posts. I - I don’t know the exact verbiage but...

Q: Is it this...

A: ...it’s in the instruction.

Q: ...55.30.14 E? They talk about this post validation model?

A: Right, but if you have the actual, um, (unintelligible) on the - MPVP is the only approved model authorized for use to determine and validate (unintelligible) installation activity, security, post and staffing requirements. They’ll be validated using the MPVP. So, that’s...

Q: But it seems...

A: ...that’s the thing that says...

Q: ...like there’s a breakdown in - in, um, there’s...

A: ...you will do this.

Q: They will have to - so on one...

A: They contradict themselves.

Q: ...hand OPNAV says they have to comply with that MPVP, but then on the other hand you’re saying this...

A: But if you’ve read the OP...

Q: ...OPNAV also says you have to have a supervisor.

A: Right, and if you read reference N, the MTTP, which is the, um, tactics and procedures.

Q: MTTP?

A: It - it’s reference N. And that’ll give you the exact...
Q: Okay.
A: ...number. That also goes into more detail about the watch commander patrol supervisor positions.

Q: Okay.
A: A perfect example is the - the watch commander is - is the one that issues all armaments and everything else at the start of shift and issues assignments...

Q: Okay.
A: So if you have no supervisor who’s gonna have authorized access to the RFI to issue weapons?

Q: Do you know if they’ve done a new post validation study?
A: I have not seen it.

Q: It says here every five years. So if that’s ‘12, 13, 14, 15, 16, 17 it would be due again.
A: We see from region, or things that I’ve been given for my eyes is, you know, business plans for the region, what they’re projecting. So they’ll say this is what you’re validated but this is what we’re only funded to provide.

Q: Mm-hm.
A: And next year maybe this, next year it may be that.

Q: Mm, okay. So that’s one issue, is the fact that there’s this already under manned situation and if they continue to comply with this model if someone else retires tomorrow that one also wouldn’t be backed up.
A: Through attrition, which we’ve had, um...

Q: So re- feasibly...
A: ...originally we had...

Q: ...all four - five of you could just not come to work and then what would happen?
A: Right, and we’ve run into that situation a few times where it’s, like, you know,
okay someone’s on leave, someone’s out sick. Are we gonna hold the 
supervisor for 24 hours?

Q: Yeah, I heard that.

A: What do we do? And - and luckily it’s always been averted. Where a supervi-,
uh, someone off duty finally does come through and comes in. But through 
attrition we have lost one watch commander who retired.

Q: Mm-hm.

A: And we lost one patrol supervisor who retired.

Q: Right, but based on this somebody’s saying you don’t need them. And you
don’t need any of you.

A: Right, but when they were validated they were here.

Q: Right.

A: I mean once they de-validated them they didn’t riff them, they just said 
through attrition we’re not gonna fill them. But they never came up with a 
solution.

Q: Yeah, see what I’m tryin’ to figure out here...

A: Or looked at it to say, “What is gonna happen when they’re all gone?”

Q: Right, exactly, like, which is it? Are they or are they not required to have a 
supervisor on each - every shift. It’s, like, on one hand there’s one thing that’s 
saying, “No, they’re not required. We don’t need them. We can operate 
without them.” But then on the other hand you’re saying there’s other 
instructions that...

A: It’s the proverbial right doesn’t know what the left is doing.

Q: ...and just common sense kinda seems like - yeah, uh-huh. Okay, so as far as 
the overtime situation now given the current scenario that you have, uh, two 
vacant billets - supervisory billets. And then the - the others trying to cover it. 
I can see from looking at your (unintelligible) records and from looking at 
[b]’s report and from looking at that there - there has been a lot of overtime 
in the past. So my question now to follow up is since [b] made his 
recommendations has there been any change...

A: No.
Q: ...in the overtime?

A: No.

Q: At all? No.

A: Right now...

Q: So people are still...

A: ...we do have - we have...

Q: ...working 16 hour shifts sometimes?

A: Right now we have - w- we should have on every shift - and what we did at one time - because we - we used to have a lot more people than we do now - there should be a watch commander on every shift and there should be a patrol supervisor on every shift. And that’s to offset days off. So if a watch commander’s working five days a week, which is traditionally the - the GS-9 Lieutenant. When he is off the GS-8 sergeant fills in as watch commander. When they’re both here the sergeant is on the road doing patrol supervisor or filling a post. It’s always been that way. And that’s the way it is traditionally and every outside agency anywhere. That’s the way it should be. Now we have two watch commanders, one on the day shift, one on the eve shift. Two patrol supervisors, one on the day shift, one on the midnight shift filling in as a watch commander. And we have a military patrol supervisor who for scheduling purposes it’s easier to fill overtime on - on say the eve shift, so he works the midnight shift to cover that. So every Friday and Saturday, or whatever two days off the eve shift watch commander is off, those two days every week is overtime.

Q: Still...

A: The problem comes up - yes, and - and two days a week isn’t a problem because the - there are supervisors that want the overtime. The problem comes into play is when someone takes leave. Or, you know, in the past where [b] [6] , he’s not anymore, but god forbid he gets activated as a reservist. And we have someone on vacation or someone gets sick.

Q: So it’s never been an option to just not cover a shift with a supervisor?

A: Y...

Q: As opposed to working overtime?
A: You can’t do it.

Q: Well...

A: Who’s gonna - who’s gonna issue the oncoming shift their weapons? Who’s gonna do the inventory of the weapons and perform all the post checks? And all the other supervisory duties? If you don’t have a supervisor on a particular shift who’s gonna do - ensure supervisory oversight of that shift? Who’s gonna do those employees payroll?

Q: Right. It seems, like, either way you’re - you’re in violating something by working too many hours if you do work. But then leaving things unattended if you don’t work. Oh, excuse me. Um, so last week - for last pay period for example, was there anybody who worked a double shift?

A: Oh most definitely. I - I was on vacation so I - I don’t see the schedule but I know that [b] (6) [b] was also on vacation so, um...

Q: Now when...

A: ...at least one or two days...

Q: ...when I say a double...

A: ...there must have been a couple 16 hour shifts. Or they may - some supervisor may choose to split the shift and work 12’s.

Q: Okay. And what do you really see, uh, I just - I know you’ve articulated this before but I just want to hear you explain it to me as the problem with that. Like, what kinds of problems are created by having somebody 16 hours in a row.

A: Well, the fatigue issue.

Q: Yeah, yeah.

A: And, you know, even under the - the DOD and Navy, they, you know, the on duty time and on duty driving times things. You know, instructions don’t take into account someone that, okay, you work 16 hours, which, you know, it shouldn’t be more than 10. In - in the past whenever a patrolman or sup- you worked 10 hours - you worked 10 hours on the road. If you had to work 16 you did 10 hours, then you came in and you sat dispatch.

Q: Mm-hm.
A: You work dispatch the remainder of the shift. Dispatch doesn’t fall under us anymore. It falls under emergency management so we don’t have that option anymore.

Q: Mm-hm.

A: You can’t just say okay after 10 hours of driving on a road come on and then sit in the station the rest of the night. ‘Cause now your patrol sector’s not being patrolled. Y- so the - the - there’s no solution and then it comes down to the logical point, “Okay, so I’ve worked 16 now I’m gonna get in my car and drive home.” And some supervisors live in the city of (unintelligible)...

Q: Right.

A: (Westport). You know, now you’re looking at a hours drive home to and from work. Y- you’re not even gettin’ eight hours sleep.

Q: Right. Right. Now I noticed that your own overtime really isn’t that high but that’s because you’re in a different position?

A: I’m the OpSo Officer and I have filled in. I’ve come in on Mids and filled shifts. But also my (unintelligible) doesn’t show overtime because I’m not allowed to take overtime. I can only take credit hours.

Q: Or comp time. Or - oh, credit hours...

A: Credit hours.

Q: ...is what you use?

A: So my attendance roster from my (unintelligible) may look different ‘cause I noticed when, um, (b) (6) did his thing, you s-, you know, I only worked so much overtime. Sin-, I worked a lot more than that.

Q: Okay.

A: But again my position is not a watch commander and if you gonna use me in that position now I have an issue where you’re taking me out of my primary job to do a subordinate job so now you gonna penalize me in my rating cycle where I’m not getting my job done because I’m doing a subordinate’s job.

Q: Mm-hm.

A: Y- your robbing Peter to pay Paul no matter how you slice it.
Q: Right - right. Okay, so, um, since (b)(6) issued his report which was, like, January - December, January - has there been any effort to hire new...  
A: None.  
Q: ...police officers that you know of?  
A: We were told by the commanding officer that foll-, you know, following the report that we would submit RPA’s to backfill the supervisory positions and he puts it in his weekly brief to the Admiral. Nothing has been done.  
Q: So you did submit the RPA’s?  
A: Yes.  
Q: For two supervisors?  
A: One watch commander and one patrol supervisor.  
Q: So there’s - those are two supervisory police officers?  
A: Correct. So in theory if we advertise for a watch commander right now the eligible applicants would be the two Sergeants - or or.  
Q: Now, I’m sorry...  
A: One of them gets promoted to Lieutenant. Now we have two Sergeant vacancies to fill.  
Q: Okay. You said it’s on his weekly report - who - who are you referring to?  
A: The Admiral. I...  
Q: Who puts it on the (unintelligible)?  
A: The - the Captain of the base sends a weekly...  
Q: Okay.  
A: He calls it to (unintelligible).  
Q: Okay. So the Security Director is aware that there’s two RPA’s hanging out there?
A: We have a new Security Director and yes, he is aware and there’s been no movement on it whatsoever.

Q: Who submitted the RPA’s?

A: I believe that was probably me. I’d have to go back through my emails, but...

Q: Would you have copies of them?

A: I have copies of everything.

Q: Yeah, can I have - here, let me jot that down.

A: I will search for the RPA’s or at least I will have some email traffic showing that they were submitted.

Q: Yeah. Okay.

A: Now the - I won’t have copies of the actual RPA. What we do is we submit the request for the RPA to region.

Q: Okay.

A: So, like, when on behalf of, say, the Security Director I will send a request to [b] (6) who’s the point of contact at (Sinerma) saying, you know, by direction requesting RPA’s for the following positions.

Q: Okay, so as far as the actual SF52...

A: That’s generated, I would assume, by (Sinerma) to C&IC.

Q: Okay, so you didn’t fill out that?

A: No - no - no - no.

Q: No - no. Okay.

A: And all fairness to region we understand that it’s not - they don’t have the authority to fill that position because it has to be funded by C&IC.

Q: Right. Okay. So, right, in - in that sense the CO is even in the same boat even more, like...

A: Absolutely.
Q: ...further down than the region. He - he can’t just fill those positions either.

A: And we can’t even get temporary promotions. They can do temporary not to exceed a year. We - we’ve done that in the past when - after 9-11 we had two watch commanders that were deployed as reservists - one Army and one Air Force - they made temporary not to exceed promotions.

Q: All right. So really it’s at the C&IC level...

A: Mm-hm.

Q: ...that has to be, um, you know, clear about this. Like, either they’re clearly gonna tell you, “It’s okay to leave these shifts unsupervised and we’re telling you that,” or, “We’re gonna give you the money to hire the supervisor - one of the two.”

A: And under the previous CO I even did a point paper - he wanted to resubmit to try and get the - the pos- [b] (6) wanted to get the positions filled and I revised the MPVP to - to basical- you know, if you’re gonna eliminate positions you could probably peel back from the non-supervisory because for five out of the seven days a week the patrol supervisor could fill that patrol post because the watch commander’s here - in addition to doing their field supervisory duties. It went nowhere.

Q: Hm. Ok- so who issues that MPVP?

A: That comes from OPNAV. That’s their instruction. I don’t know who generates it at the OPNAV level.

Q: So the document itself showing zero, uh, supervisors authorized that’s issued by OPNAV?

A: There’s no header or footer on it that indicates where it originates but...

Q: Right I can’t figure that out.

A: It - it’s - it’s the MPVP so based on appendix A of the Echo it apparently must come from OPNAV.

Q: Yeah or OPNAV just sets the guidance and then, maybe C&IC actually does the...

A: I - I don’t know.
Q: I don’t know. I’ll have to find that out. Um, all right do you know if this is affecting other installations? Have you heard your counterpart saying they have similar problems with overtime?

A: Oh, I know it’s an issue - it - enterprise wide. I mean, there’s - there’s different - social media and just hearin’ from Union people and talkin’ to other directives in the region.

Q: And does the overtime...

A: Staffing overall is an issue.

Q: Yeah. Does the overtime affect the patrolmen as well as the supervisors? Are they also working a lot of overtime?

A: It’s - it’s starting to dwindle because we have been hiring.

Q: Okay.

A: So, it has gotten a little better.

Q: So those you are authorized to hire?

A: Yes, we - per our MPVP right now we still have over 20 vacancies.

Q: That you’re authorized to hire?

A: Authorized.

Q: Okay. Would it be, hm, well...

A: But again the MPVP needs to be revamped, like, the - the non-god service, or IS3 site supervisor position. That’s included in the MPVP, NGS doesn’t exist anymore. The position been abolished. He’s not here. There’s other positions in there where they were handshake deals where one armory position for us. Years ago there was a handshake d- you know what, we really don’t need this guy. Let’s get rid of him in order to get another patrolman. Well they got rid of the position they just never gave us the actual patrolman.

Q: Okay, so you said you - you have the sense that it’s a enterprise wise issue but has there been any specific, like, is there a person’s name you can give me from another installation that has...

A: No, you’d have to talk to them.
Q: Um, okay.

A: Like I said, Mechanicsburg right now - our - our new Director just said in a staff meeting before I came here that he interviewed for Mechanicsburg and one of the questions on his review board for the job was, “How will you come in and take over here with no supervisors? How will you accomplish that?” And he said, “I - I - I can’t.”

Q: This was for the Director of Security?

A: This was for the Director position...

Q: Yeah.

A: ...at Mechanicsburg.

Q: So they don’t have supervisors there at all?

A: Apparently not.

Q: So that sounds like, though that they - it was the intent of the MPVP to...

A: (Unintelligible).

Q: ...that’s what they’re lookin’ for is no supervisor.

A: So they must have already, you know, through attrition they must of already eliminated their supervisors.

Q: Right, and they’re not allowed to backfill them. And their still functioning.

A: Apparently so, until something happens and then...

Q: Yeah.

A: ...who’s gonna be held responsible?

Q: Okay. Right, so let me - let’s just elaborate on that a little bit. Until something happens. Like, what - what could be the consequences of not having a supervisor on a shift? Like, what - can you put that into something for me that I can understand? You know what I mean? You’re so involved in it that it’s obvious to you, but...

A: You know, I - I - I don’t - I don’t think you can even quantify it because according to our commanding officer anything that goes wrong on the shift...
it’s a supervisory leadership issue. And the military - who’s - who’s got more (unintelligible) supervision than the military?

Q: But what could go wrong...

A: Re- regardless of what component...

Q: ...if the supervisors not there that couldn’t go wrong if - if they are?

A: Well if the supervisors not out doing his checks and - and making sure everyone’s doing their job, what’s to prevent the guy on post from just kicking back sleeping all night?

Q: Yeah.

A: Now you have a security breach. Or any kind of safety, legal, procedural infractions, if - if you don’t have the oversight, I mean, you’re not gonna let the Indians run wild. That’s management 101.

Q: Hm. Okay. I mean there - there is a supervisor in that, like you said, the Security Director, but he can’t work three shifts all the time.

A: And - and he can’t be here 24/7. And I can’t, y- you know, with the old Director it was a joke, it’s like, “Okay well after everyone leaves, [b] [6] , I guess it’s just you and me. 12 hours a day, 7 days a week.” No. And our Captain actually proposed to, you know, he - he wants to get training done. Training is the big thing. We gotta do training ‘cause we’re not doin’ any right now because we don’t have the people. And to set the time aside to do it - to make the people come now you’re just dumping more overtime on people. So there’s no - and he’s, “Well, we need to go to a four shift rotation.” It worked on a submarine. We’re not a submarine and me - I’m not in the Navy. I’m a civilian.

Q: Is that an - an option?

A: You’re not gonna make me work seven days a week, six hour shifts. It just, and you know, and - and he backed off on it. But that’s the mentality. It’s, like, they’re - they’re thinkin’ with a war fighter concept, you know, out on a submarine, trying to apply it to a shore installation with civilians. Y- you know, it - it - it’s not gonna work.

Q: So the CO suggested that though instead of three shifts, four shifts?

A: Yep.
Q: Is that - would that solve it? Would that reduce the overtime?

A: Absolutely. You can’t do it. Y- how are you gonna tell a civilian, “You will not have a day off?”

Q: Oh, ‘cause that would require working every day?

A: Every day. But in his mind, “It’s well, that’s gonna be great. You’re gonna be gettin’ two hours overtime every week. You’re gonna be workin’ 42 hours.”

Q: Okay, but you’d never have a day off unless you took leave.

A: Right. It - it makes no sense.

Q: But when you did work your shifts would be shorter.

A: Right.

Q: We wouldn’t have this issue with exceeding the 14 hours - exceeding the 16 hours. ‘Cause it would be spread out over more days. I see. Hm. Mm-hm.

A: In the military, if I’m in the Navy or the Army, and - and I’m out at sea, th- there’s no such as overtime. They own you 24/7 so that’s probably advantageous to them. But in the civilian world that’s just - that’s not gonna happen.

Q: Mm-hm. Okay.

A: I mean if they told you - I’m sure you work a 40 hour, five and two schedule - if they said, “You know what Christine, we - we’re cuttin’ back. We need you to work every day now. You’re not gonna have a day off. Just work six days, you know, six hours a day.”

Q: Every day.

A: How’s that suit you?”

Q: Yeah - yeah, I see what your sayin’. Okay. And so that’s an option, I guess, but I - I hear - it’s a not gonna work.

A: And that wasn’t just for the supervisors. That was department wide.

Q: Oh, okay. This was this CO?

A: Yes.
Q: But, you know, he’s thinking. Trying to think, I guess.

A: But right now, you know, trying to explain the logic. Okay, but right now we have three shifts and on each of those shifts there’s so many posts you have to cover. So in addition to our three patrols we have a smattering of, you know, gates that we have to man. So now instead of, okay, we have ten posts, say we have to fill on each three shifts. Dividing it into four you’ve just created an additional ten posts that need to be filled. So if we’re shorthanded you’ll lookin’ to save time to - to get people to train, well now you just created an additional ten post void to fill.

Q: Mm-hm.

A: You set a separate shift which means you need an additional supervisor too. You’re just digging your hole deeper.

Q: Yeah.

A: So, I think that’s why when the Director and I talked, and - and it was conveyed, it was like, “Yes, it’s not practical.”

Q: Yeah. This is the new Director -?

A: The old one. The old one.

Q: Have you talked about it with the new one? No.

A: I - I gave him a - a brief - in brief, of these are some of the things we’ve discussed, but - but not at length.

Q: Okay. But, um, agreed that it was not practical.

A: Uh, and I’m goin’ back as far as...

Q: Oh.

A: ...when he was here.

Q: Okay.

A: Prior to September 30th.

Q: Okay. Okay, so, now in the new information there was two things. There was a memorandum dated March 16, 2- March 7th, sorry. March 16th. It was this
memo right here from you and your colleagues and then also was these - these emails between yourself and [redacted] and it kind of internal to the security supervisors here.

A: Okay.

Q: Okay, so by reading through this I - I noticed a few topics that I wanted to ask you about for more clarification.

A: Okay.

Q: You recall this right?

A: Mm-hm.

Q: Writing this?

A: He wrote some on compliance, it’s just - okay.

Q: Okay. So, um, in here I want - the first thing I want to ask you about is there’s this comment here where it says when [redacted] was here, which I believe was in March...

A: Mm-hm.

Q: ...he came down here to talk to y’all. He blatantly said he was not gonna implement SECNAV 55.12/1 which is this base access control form. Which I have a copy of. Um, although it is required by C&IC instruction 55.30.14.

A: Right.

Q: Okay, so I got the form...

A: It’s a very long access control form.

Q: Yeah.

A: It - it’s just another example of the picking and choosing of what we’re going to do...

Q: Well...

A: and what we’re not going to do.

Q: ...let me - let me ask you my question. Because I Googled this form and I
could not find it in any instructions. And I looked through the C&IC 55.30.14 and it does not reference this form at all.

A: No this came out as a - as a message from, I believe it was SECNAV. I forget the date when we received it.

Q: And they said you must use this...

A: That’s the new form...

Q: ...in the message?

A: ...that has to be used.

Q: Can you get me the message where it says that?

A: I - I will try and find it and the other thing on top of this, though, we also just, uh, a couple months ago C&IC put out a change one to the C&IC 55.30.14 Alpha.

Q: Okay, yeah, yep. Is that...

A: So that change one...

Q: Oh, 8 March 2016.

A: Yes.

Q: Okay, I don’t have a copy of that.

A: I can - I can send you a copy of that as well.

Q: Let’s write that down. Basically what I’m lookin’ for is where does it say that installations throughout C&IC are required to use this form?

A: Okay. It - it may be in this new one but if not I will find the information where this came out because when this was first, uh, produced...

Q: I’m just gonna...

A: ...under the former CO...

Q: Um...

A: ...everyone agreed - I - I’m not disagreeing with [b] (6)’s feelings
on the form. Because this is basically saying that everyone that coming to visit the base, fill this out, which would be an administrative nightmare for the access control people. Right now, someone coming to this base they provide the identity documents for proofing and vetting and they do a spreadsheet, send it to region and people get vetted.

Q: So you kind of agree that they shouldn’t do it, right?
A: I - I agree it’s ridiculous, but if we have to do it, we have to do it.
Q: Yeah.
A: Right.
Q: Well, that’s what I’m - my role is if we’re required to do it, we’re supposed to do it. And that’s what I would want to find out if we’re really required to do it ‘cause I couldn’t find where it says that we are in - in what I looked at but...
A: Did you read through every instruction and change? There’s so much conflict it - it’s ridiculous. You know, after - following the - the USS Mahan shooting anyone who’s a transportation worker ID holder - TWIC card holder. The Navy says that card is no longer good for access. They need to be vetted like anyone else even though they have the card.
Q: Mm-hm.
A: The new access control instruction from C&IC just came out, doesn’t say it. So which is it now? You know, it - it’s that kinda issue that we run into daily where, “Okay we need you to do this.”
Q: Which instruction was it that said it was required?
A: This - this came out a directive from, uh, I don’t know whether it was Fleet Forces, I - I can’t remember. But when the message came out it was immediately TWIC cards will no longer be accepted for general access to installations. It was following the Mahan shooting.
Q: What kind of cards? I’m sorry.
A: It’s a called a transportation worker ID card. A TWIC. ‘Cause in the past, like, we have a - a railroad that runs through the base - the railroad workers they had these cards. If you go to a lot of your, um - I just got back from vacation - these cab drivers that transport people to and from the ports...
Q: Mm-hm.
A: ...they get a TWIC card so Homeland Security’s screening them coming through. That card says, “All right, I’ve already been screened. I’m good to go.” If Homeland Security’s already done this background check, I’m - I’m good to go.

Q: Yeah, I just added that. I’d like to see...

A: Okay.

Q: ...where that came from and - and you’re saying C&IC just was silent on it. They haven’t said to do it or not do it. Is that...

A: No, they - they - when this originally came out and was filtered down that this is gonna be the new policy - well they just put out the change instruction to the access control portion of the - the 14 Alpha. Now it says it - it contradicts what it says - it says it is a valid access (unintelligible).

Q: Oh, it says the TWIC card is a valid.

A: Yeah, so it’s like where - well...

Q: C&IC instruction says that?

A: Correct.

Q: And that was put...

A: And we discussed it...

Q: ...out after this directive?

A: Right.

Q: It’s a valid form...

A: There’s a host of other, I mean, when [b] (6) was here we - we bandied back and forth and, you know, these instructions come out and they don’t take into consideration, you know, you’re not supposed to have a firearm unless you’re an authorized person on - in any federal facility or building. Well, authorized would be, you know, us as LE, a federal agent here on official business, such as that. We have armored car workers come through here every day. They’re civilians. What’s - there - there’s so many gray areas that aren’t addressed.
Q: Yeah, okay.

A: (b) (5)

Q: Yeah.

A: (b) (5)

Q: Oh.

A: (b) (5)

Q: Mm-hm. Mm-hm.

A: (b) (5)

Q: Right. Okay. Okay, so you’re gonna provide me a copy of that updated C&IC...

A: Mm-hm.

Q: ...instruction, right? Okay. Um, now the next thing I wanna, uh, just quickly talk around is the - the physical agility test and the uniform requirements. I realize that’s associated with the reprisal complaint so I’m not talking to you about it from that perspective...
A: Okay.

Q: ...I just want to know if you know whether that’s ever been implemented here or anywhere else, like, do you know if...

A: It hasn’t.

Q: Not here.

A: Not here and from what I’ve gleaned from social media there’s one - at the Washington Navy Yard they are doing it but it is not a pass/fail standard. It’s just as long as you complete it, it doesn’t matter whether you pass or fail. And there’s been no discipline.

Q: Okay, then what’s the point?

A: I...

Q: It just takes up time. You have to complete the test...

A: I have my own personal...

Q: ...but if you fail it - it doesn’t affect anything. That doesn’t make sense.

A: I have my own personal issues with the - the whole process.

Q: Um, is it in your PD?

A: No, it was never a condition of employment. When - and I’m only speaking for the - the supervisors, not - the Union has their own issues with it, but as far as the supervisors go, it was never a condition of our employment.

Q: Okay, but if it is something that they’re supposed to be implementing and they’re not, um...

A: It hasn’t been implemented since...

Q: It should - it should be done, like, in a systematic way for...

A: When the instruction came out...

Q: ...fairly to everyone.

A: ...the first version, the 14 when it first referenced this, I - I want to say 2011 or 2012, never came to light. And every - every civilian police officer that’s been
hired since, where it has been a condition of employment, no one has ever
been held to the standard and ever taken an annual agility test. So they take
one as their pre-employment, but after that no one has ever taken a test after
that.

Q: And that’s since 2012 the new hires have started doing that?

A: ‘11 or ‘12 - actually it predated that I think because the Union has an
agreement with the former Security Director here - that should be
a name from the past...

Q: Mm-hm.

A: ...that - I don’t remember the date, whether it was 2006 or ‘09 - when we were
hiring people and sending them down to the, um, police academy in region.

Q: Mm-hm.

A: They had it then. The pre-employment agility and they were talking about, uh,
annual agility. And they signed an agreement stating that anyone prior to, say,
2009 or ‘06 when that agreement was signed they would not be held any
\( \text{or} \) to take an annual agility test. They were encouraged. Anyone hired after that
would be held to that standard and would be taking an annual agility test. It
was never implemented. They never did it under, under
\( \text{or} \). And the previous CO’s here, whether it was the agility or
uniforms or anything, they all agreed we’re not gonna make the supervisors
do one thing and the bargaining unit do something - when everyone’s on the
same page we’ll all get on the same page.

Q: Right. You would think that they would have vetted this through the Unions
and everything first and then put it in the instruction so that then you would
hold people accountable to it once you get it going, you know?

A: Back in - the last instruction that the Unions - and - and I’m goin’ from my
own personal experience - was provided a copy of. What they used to do is
they would send out a draft of the instruction. The 14 Delta was the case
where they sent out a draft of the instruction and at the time I was a Sergeant
so the Union got a copy...

Q: Mm-hm.

A: ...management got a copy and my predecessor told me, “Go through it.” And
C&IC, or whoever at the time provided a spreadsheet you had to fill out, read
this page, this line, this is an issue.
1396 Q: Mm-hm.
1397
1398 A: And I went through it, I mean, one of the proposals was all the civilians would
1399 wear military rank insignia. You can’t do it.
1400
1401 Q: Hm, okay.
1402
1403 A: So that was something. Then...
1404
1405 Q: So...
1406
1407 A: ...the Delta came out. From the Echo forward, you know, and I’ve let HRO
1408 know from the emails, they just put - now the Navy puts an instruction out and
1409 they put verbiage in there saying here’s the instruction, it’s signed, but you
1410 can’t implement until you satisfy all your bargaining agreement things. So,
1411 it’s basically, I mean, I’m not gonna tell the Union this but their - their
1412 attorney made a point to say it to our former Director and the HRO Labor
1413 Relations Specialist, “I don’t care what this says, this is basically bad faith
1414 bargaining.” You’re giving me this document saying, we’ve already signed it.
1415 We’ve already decided what your gonna do it so we’re gonna shove it down
1416 your throat. The only right you have is you can say what you want, but it’s
1417 gonna happen. But again supervisors aren’t covered by the Union, so that -
1418 that has nothing to do with us.
1419
1420 Q: Now when you said, um, there was - sounded like you were saying somebody
1421 agreed that they were not gonna make the supervisors do one thing and the
1422 bargaining unit do something else and like force the supervisors to start doing
1423 the PAT for example.
1424
1425 A: The prior Director’s...
1426
1427 Q: Who said that?
1428
1429 A: ...the CO’s, everyone. I mean, we - the directive came out from [b](6)
1430 about the, you know, the supervisors need to switch to the sheriff
1431 hats. They want us to wear cowboy hats.
1432
1433 Q: But you said they’re - that...
1434
1435 A: And...
1436
1437 Q: ...somebody agreed that it was not gonna happen. That we were gonna make
1438 the supervisors before the bargaining unit, right?
1439
1440 A: Oh, I - I can...
Q: So who are you referring to?

A: I - I can tell you who, for a fact that I was in the room with the Director when he’d - we had filed the supervisors a, pretty much, like, an ADR or - or a preemptive grievance saying it’s ridiculous. The sheriff hats...

Q: Yeah, but who - who said that?

A: The Commander - , who was the prior XO here, agreed with . I mean, I sat in a meeting where and - and - and they were talking about...

Q: Okay so you’re the previous management said that?

A: Correct.

Q: The previous CO, XO, Security Director.

A: And this current CO even made the comment in a (unintelligible) meeting that he could care less about if the 14 ever got implemented here. He could care less.

Q: What’s the 14?

A: The C&IC instruction.

Q: ‘Cause we’ve been through the 14, and now the 14 Alpha.

A: And that’s in a conversation where, you know, it basically they need to be more worried about more important issues than patches, badges and agility tests. And the fact that the supervisors, when walks out the door here after coming up in reference to our complaint saying they need to be in the new uniform and they need to stop doing agility tests on the heels of our complaint? After all these years and him knowing what uniforms we wear and that we haven’t been doing ‘em. That’s outright reprisal. That’s a threat. I’m sorry, it is.

Q: Right, and you’re gonna have to deal with that...
Q: ...with the other, um, agency that’s gonna handle that. So, um, uh, oh, right. So I think I know the answer to this but I’m gonna ask you anyway. Um, have, I know this - this comments were made during the time that [b] was here - that’s what you alleged that he said something about requirement this PAT and the unit or uniform changes, but, um, have actually received since that time any kind of more formal notice that...

A: Nope...

Q: ...this is happening?

A: ...absolutely not.

Q: No - no. So it was just a comment made verbally at a meeting. Um, any kind of email traffic after that indicating...

A: Nope.

Q: ...that it’s moving forward?

A: He made that comment in the office to [b] along with the Commanding Officer. And as the acting Director at that time informed us.

Q: Okay. So you didn’t actually...

A: And he wasn’t...

Q: ...even hear it first hand?

A: No - no. In fact, we met with [b] and the Commanding Officer...

Q: We being?

A: ...just prior - the supervisors.

Q: You and your four colleagues that are in this (unintelligible).

A: Correct. I - I don’t believe, uh, was on vacation. But he met with us and none of that was discussed. This was immediately following that meeting.

Q: So the CO met with, um, you.
A: The Captain and [b] (6) [b] (6) met with the supervisors with the exception of, um, [b] (b) [b] (6) who was on vacation.

Q: Okay, so it was yourself, and, um, [b] (6) [b] (6) and [b] (6) - oh was on vacation.

A: Right. I know [b] (b) [b] (6) [b] (b), ... 

Q: And [b] (6) - [b] (6).

A: [b] (b) [b] (6) [b] (6) was there. I’m tryin’ - I’m tryin’ to remember...

Q: And [b] (b) [b] (6).

A: ...if [b] (b) [b] (6) [b] (6) [b] (6) [b] (6) ‘cause he works the midnight shift so I’m not positive.

Q: Okay, so it was at least you, [b] (b) [b] (6) and [b] (b) [b] (6)?

A: Yes.

Q: And the CO and [b] (b) [b] (6).

A: And [b] (b) [b] (6).

Q: And [b] (b) [b] (6). And nothing was said about this PAT test?

A: [b] (b) [b] (6) [b] (6) came in late. No. Nothing. This was all told to [b] (b) [b] (6) in private after our meeting.

Q: Or the uni- or the uniforms?

A: Correct.

Q: Those two issues kinda go together, right?

A: Pretty much.

Q: The PAT and the uniforms?

A: The only thing that was said to us was - the Captain did all the talking basically in the meeting - was that [b] (b) [b] (6) was up here in reference to our complaint. As far as the supervisors go, we’re all in agreement, the Admiral’s on board with us, we need to fill those supervisors. Admiral
Williamson) himself was up here in a meeting with [b] (6) [b] (6), myself, [b] (6) [b] (6), the Captain, XO, CMC, his staff, and said point blank, “Who - whoever the idiot was that ever thought we couldn’t use supervisors, that’s crazy. Of course we need supervisors.”

Q: Who said that?

A: Admiral (Williamson) - who was the prior Commander of Navy Region Mid-Atlantic.

Q: Right - right.

A: He said, “We’re gonna fix that.”

Q: When was that? Do you remember?

A: This was - I’d have to look at the - you’d have to look at the dates of when we filed our complaint. I’m pretty sure it was right around the time we had filed with C&IC and Fleet Forces after hearing nothing from (Sinerma) .

Q: So...

A: He came up here...

Q: ...approximately...

A: He came up here for a site visit. I - I - I don’t know the exact date.

Q: But it was during the time that he worked as the...

A: Yes.

Q: ...Mid-Atlantic Region...

A: Yes.

Q: ...Regional Commander.

A: It had to be prior to September 30th because [b] (6) [b] (6) was still here.

Q: Before September th- 2015?

A: Fifteen.

Q: And it was during 2015?
A: Yes.

Q: It was...

A: Yes, we’re only talking a matter of months ago.

Q: So definitely less than a year ago?

A: Correct.

Q: Okay. And so he agreed that you, that MPV...

A: Oh...

Q: ...was in his opinion...

A: Blatant.

Q: ...not...

A: Well, he didn’t mention MPVP specifically, he just, it’s idiotic. Of course...

Q: To think that we don’t need to...

A: Of course we need supervisors and we are going to fix that.

Q: Hm.

A: You know, we’re being promised that we’re, you know, to - to summarize the CO the ad- we’re all being promised we’re gonna fix this. We’re gonna push this, we’re gonna poke CNIC in the eye with this. They’ve been doing it and nothing’s happened. They haven’t recruited. They haven’t temporarily filled positions. And they’re not going to, we all know that. This is all a dog and pony show. The admiral, when he was up here, he had ample opportunity to meet with us based on our complaint that he had already had, he chose not to.

Q: Which admiral?

A: (Williamson).

Q: Yeah.

A: And CNIC was here for a site visit. And he allegedly made some comments.
Q: Do you remember who that was?

A: Um, it was just a couple months ago. (Smith), Admiral (Smith).

Q: Oh, oh, the admiral?

A: He was here.

Q: I thought you meant someone from N-3, yeah.

A: He was here and, again, you’d have to talk to [b] (6) about the comments he made in the emergency operations center. But...

Q: He, Admiral (Smith) came sometime in 2016, like very recently?

A: Very recently.

Q: So it was in 2016?

A: I believe so, yes. And he chose not to meet with us, discuss anything, but he referenced the complaint to other people.

Q: That you heard about?

A: Mm-hm.

Q: Okay. Hm, all right. Okay, another thing that was mentioned in here in this email that you wrote to [b] (6) says, “[b] (6) is now the ASF coordinator despite that he’s not an E-7.”

A: Correct.

Q: Um...

A: And he still is.

Q: And he still is, okay, that was my question. And you mean [b] (6)?

A: Mm-hm.

Q: And, um, is that a designation letter in writing?

A: I have no idea, that’s not mandated in the instruction. It just says in the CNIC instruction that it will be an E-7 or above. It doesn’t even say it has to be a member of the security department.
Q: Right. Um...

A: Traditionally it never has been here.

Q: But do you know if that person’s appointed in writing? Like is there a letter I can get a copy of that says he’s that?

A: I don’t believe - I don’t believe there’s a letter.

Q: Okay.

A: Again, that would be a question for the - the CO or the security director.

Q: Okay. And if he was appointed, who would have appointed him?

A: That’s a good point. Usually it’s a joint discussion between the CO and the security director.

Q: Okay. Do you know why they didn’t appoint an E-7?

A: We don’t have any. The only E-7 is...

Q: I figured.

A: ...who’s the, he fills the billet of direct- ah, deputy director. Prior to that he was the acting director from March to...

Q: So it’s not like there was another readily available E-7 and they intentionally didn’t pick him and picked this E-6?

A: Correct. And the former, prior to there was a lieutenant who was working light duty, she filled in very briefly. Prior to that it was the AOC who was assigned to the armory. Prior to that it was, prior to that it was a GM-1, it - it traditionally here it’s always been a first class.

Q: Mm-hm, okay. He’s a - a GM-1, this?

A: Mm-hm.

Q: Um, I mean, so I guess if in that case, if you don’t have an E-7 the choice is either don’t have one at all, which puts you in violation, or appoint somebody who’s the next grade. Either way you’re in...

A: I made my sugge- I...
Q: But it’s a manning issue again.
A: Right, and it doesn’t have to be someone in security.
Q: On the military side. Oh, it doesn’t have to be?
A: So I don’t know how many other E-7 and aboves there are on the base.
Q: Okay.
A: I mean, traditionally it’s just been logical to have it run through security since...
Q: Right, that’s like...
A: ...you’re coordinating with security over the scheduling of the ASF.
Q: And it’s like the subject matter (unintelligible) there. I guess, so my question is did you mean for that to be something that you’re claiming as a allegation...
A: Again, it’s another...
Q: ...a violation of something?
A: It’s another one of those you’re picking and choose what you’re gonna follow.
Q: Okay.
A: See, this current climate with this command triad is, and - and Captain (Border) is - is very emphatic in the meetings I have had, show me. I wanna see it. I wanna see the regulation. Show me where it says this.
Q: Yeah, that’s...
A: And I’ll show you.
Q: ...kind of how I am.
A: And I’ll show him, here you go. Right here.
Q: Mm-hm, mm-hm.
A: If it doesn’t suit his need, I don’t care. Well, you know what, I’m not working like that.
Q: Mm-hm, okay. Um, now another item you meant- is - mentioned is about the, Mm-hm. A: Again...

Q: ... .

A: Why - why?

Q: It - it takes away the clout of an instruction if nobody’s following it...

A: Right.

Q: ...and they put things in there that they can’t follow anyway, right? Is that your point? Like it - it takes away the good order and discipline intended by writing these instructions...

A: Right.

Q: ...is that you’re supposed to follow them.

A: And - and again, I...

Q: Mm-hm.
Q: Yeah, okay. To...  
A: I...  
Q: ...  
A: Now in all fairness, would I be exposed to those waivers? Would I actually see those or would that be something just for the security director and the CO?  
Q: You may not know.  
A: Probably, I may not...  
Q: Okay.  
A: ...see those.  
Q: Okay. Okay, um, now has anyone, have you brought it to the CO’s attention that this is a requirement, that those barriers are supposed to be in the up position and they’re not? I mean...  
A: You - you know what, I can’t say specifically that exact situation I’ve spoken with directly with the CO, I don’t know. But a lot of these...  
Q: Or brought it through your chain of command?  
A: A lot of these different issues with different COs and in our sync meetings the actual, the some of the more ridiculous items that are in the instruction, yes, we - we’ve openly discussed how ridiculous it is.  
Q: It’s a ridiculous thing, so what would you really like to see? That they change the instruction?  
A: Well again, I don’t write the instructions so I - I don’t know...  
Q: You just know we’re not...  
A: I mean...
Q: ...in compliance with...
A: ...I get the - I get - I can see the logic on both sides, I’ll put it like that.
Q: Mm-hm.
A: Now if we were a - a busy base where, you know, I - I - I’ve never been to Norfolk’s base but if they have a gate that’s closed but it is one of the usual gates and because of their assets down there they think it’s more logical to have I get it. You can’t have the cookie cutter approach to installations with all different ROC levels. And that, and every CO here that I’ve been in meetings with, the directors that have been here, they all say the same thing.
Q: So maybe...
A: Fleet Forces dictates the standards but there’s no deviation. So if you’re a practical. If we’re not all manned and staffed and equipped to the same standard, how can you accept the same from every one of them.
Q: So maybe it’s a matter of revising the instruction to allow for some leeway instead of saying you must always do this, they should say as appropriate or as deemed necessary or...
A: And I think these are way - these are things way above your head, my head.
Q: Yeah, yeah.
A: This is where big Navy needs to talk and say okay, if this is what we expect at a base where we have subs and nukes and weapons and everything but now we’ve got a little college campus residential community here, should we really expect them to be on the same page as these guys...
Q: Yeah.
A: ...when we’re not giving them everything that they need to do the job?
Q: Now a ROC level, that’s like what you’re talking about distinguishes between the - the...
A: The, to sum it up, the importance of your installation. How critical it is.
Q: How, yeah. Operationally or whatever, okay.
A: Or as Admiral (Williamson) would say, “We have nothing grey or black here.” We have no big ships, we have no subs, but they don’t look at human capital as an asset. We don’t have ships and subs...

Q: Yeah.

A: …but I guarantee if we had a major incident like an active shooter at the Naval War College say during graduation with all those international students, that’s gonna make some headlines.

Q: Yeah, yeah, mm-hm. Yeah, okay. All right, um, now you also mentioned the training. You said that, um, in here the way you worded it, you said, “Don’t even get me started on the new minimum law enforcement training standards. Um, the command and CNRMA and CNI can’t get their act together to be in compliance with DOD 5525.15.” So that implies that we’re not in compliance with this DOD...

A: We’re not.

Q: …instruction.

A: We’re not and CNIC, in fact, they just put out, again, this is a perfect example. The CNIC 553014 or 14 Alpha. The 14 came out originally and I had a cover page saying these are the changes that are gonna come out in the next version. Well, those changes, most of them didn’t come out. Then they came out with the 14 Alpha. Since the Alpha has come out, they’ve come out with a Change 1 which recently came out. They’ve come out with the training, the (Tra Man) they call it, the f- CNIC 3502.2.

Q: Okay.

A: And that instruction deleted several chapters from the 14 Alpha which is something else I’ve never heard of before. Usually a change transmittal comes out to an instruction and delete these chapters.

Q: Mm-hm, mm-hm.

A: This didn’t.

Q: Mm-hm, okay.

A: Again. But like I said, if you read the (Tra Man) and you read the DOD instructions it calls for minimum initial training standards for civilian and military. So the (Tra Man) specifically br- they have set the bar at the FLETC
Uniform Police Training Program for civilians. Plus they have to come back and do the additional CNIC training.

Q: Mm-hm.

A: Not even going into the topics, the hours alone, 585 and a half then they say military will go to A School, 260.

Q: Okay, so you’re describing to me the dis- that there’s a disparity between the requirements for military requirements, civilian...

A: Right.

Q: But what I’m asking is...

A: But the instruction calls for minimum. They all have to be trained to the same minimum standard. Identical.

Q: Okay.

A: So if the instruction says your military and civilian get the same thing but they’re not getting the same thing and the instruction...

Q: So who’s not getting what they’re supposed to get?

A: The military.

Q: The military side?

A: Correct.

Q: Okay.

A: And in [b] (6)’s report, he even acknowledges that master at arms are inadequately trained in law enforcement, there - there’s no question. And the recommendation was well, you know what, send them to FLETC or an equivalent. It’s not gonna happen. Our new director worked at Fleet Forces and he said he visited FLETC and there was an exploratory program looking at that possibility of sending them there. As a layman on the outside, I know they’re not gonna send military to FLETC because if I joined the milita- if I can’t get hired by a police department, I’m gonna join the Navy. Go in as an MA, you’re gonna send me to FLETC. I’m gonna get out in four years and I’m gonna go get on ICE, federal protective service or whoe- who knows what, NCIS. Financially, it’s not feasible.
Q: So the civilians, you’re saying, are in compliance with the training requirements?

A: Yes, they’ve set the bar. They basically set the bar higher for the civilians than the military. They’re - they’re setting the military up to fail but irregardless, from my standpoint and the supervisor, now you’re telling us you will put those guys out there. It’s your responsibility to train these military and bring them up to speed and get them patrol qualified. That is not our job, that’s not our responsibility and I don’t want that liability.

Q: Mm-hm. Okay, so they work as patrolmen in the same jobs as the civilians?

A: In the past...

Q: The Mas?

A: ...prior to the CNIC instruction, prior to the DOD, when I first started here regardless of what the hiring, when I started you had to either have a police academy or college degree or mil- prior military. It - it changes, but everyone was on the same page.

Q: Mm-hm.

A: Everyone came here, they went through what the 5580.1 series instruction called for, Phase I...

Q: Right.

A: ...Phase II training. Everyone was on the same page. So you got hired as a police officer, then you went through your FTO, military came here. After 9/11 we had so many military. So we had separate, gate, patrol. If you really excelled then the military went into patrol. The - the guys that were really sharp, they got trained...

Q: Mm-hm.

A: ...they took a board, they went on patrol. Well now, it’s different. When they started sending civilians to the academy, the union griped and said, oh wait a minute, we’re not taking oral boards anymore. We already do all that down at the academy. And it was agreed upon. So the civilians went to the regional academy and now FLETC, they come back, they do their FTO, they - they’re released to patrol if they pass.

Q: Okay, what I’m trying to get at here is what’s wrong? What, you, what is it that you feel needs to be addressed? That military are not in compliance
A: Military are not held to the same standards.

Q: ...the basic minimum standards that are set forward in the DOD instruction?

A: And CNIC’s own very instruction.

Q: Okay.

A: And they won’t explain the disparity.

Q: DOD and CNIC set minimum standards for training, is that what you’re saying?

A: And for this CO I had to put together a research paper highlighting ‘cause it could have went on for pages...

Q: And the, okay, so let me try to get to the heart of this. Ah, and the military do not meet these minimum standards, right? Is that what you’re saying?

A: They don’t, but the CNIC...

Q: And yet they...

A: ...instruction is basically saying, ah, you - you have to read the - the 3502.2. It says they will, before they’re allowed to perform any law enforcement duties they will meet the same minimum training.

Q: Right, and what you’re telling me is that...

A: But they don’t.

Q: ...they are put on patrol prior to meeting those minimum standards?

A: No, no, not right now because I, under the former director, we’ve said, when this all came out now it stops because I said, “I am not gonna put someone on patrol in violation of the instruction. It says prior to performing any LE functions they have to meet the minimum training.”

Q: Okay, so you’re not putting them out on patrol?

A: But they don’t meet the minimum training. The only one - the only two military patrol officers we have on duty right now are the ones that were certified prior to this instruction.
Q: Okay.

A: But the CO does not...

Q: So what do you do with them?

A: ...like that.

Q: So what do you do with them?

A: They - they stand gates. And I’ve given the CO the opportun- well, they could fill that...

Q: Okay, they stand gates.

A: ...commercial vehicle inspection.

Q: But they don’t go on patrol?

A: No.

Q: So basically you’re underutilizing, you have these resources that you can’t use because they’re not trained?

A: We’re utilizing them in a different fashion to plug other holes. So it’s not like they’re sitting around doing nothing.

Q: Okay. And is there any way to get them to meet the training standards? You’re saying the only way is to send them to FLETC?

A: Well, the CO’s expectation is that’s our responsibility, the supervisor’s. You get - you bring them up to speed and get them out there. And I had an argument with a lieutenant commander from CNIC.

Q: Do you have the funding to send them to the training?

A: It - it’s not a question of fun- even if they made the funding, the Navy’s decided they’re not sending military personnel to FLETC.

Q: Have you tried, have you sent an application for a military?

A: That’s not done through us. That’s all done through all the - the processing for people to go to FLETC is done through CNRMA, but it’s different pots of money for military and civilian.
Q: But you’re saying the CO expects you to do it, to get them...
A: Bring them up to speed.
Q: Right.
A: And...
Q: Oh, you mean here to train them here.
A: Train them here.
Q: Without sending them to...
A: Whatever they don’t get in A School, oh, that’s your job to bring them up to speed. No, it’s not.
Q: Okay.
A: And I mean, logically...
Q: You, could you ch- you...
A: That’s - that’s like saying okay, you’re - you’re going to school to be a lawyer. You’re gonna go get your juris doctor at Yale. Now this guy, we’re not sending him, you train him to be a lawyer. That’s ridiculous. FLETC is an accredited, nationally accredited...
Q: So your recommendation is that they should go to FLETC?
A: Absolutely. If you’re gonna hold, if you’re gonna write an instruction that says everyone’s gonna be held to the same and they have to be trained to the same then you send everyone to the same.
Q: Just like the civilians do go to FLETC?
A: Correct.
Q: Why can’t you send them? Why can’t you fill out a registration form and send them?
A: We - we don’t have that ability. Just like I can’t say here, I’m sending this new patrolman to FLETC.
Q: Well...

A: We don’t control those funding and...

Q: You don’t have, could you request? Could you ask someone else to do it?

A: A- apparently the XO here has raised that very question. But like I said, my...

Q: I guess that’s what I’m saying, even if you say okay, you’re saying you can’t fill out the registration form yourself, is there someone you can call at...

A: Our new...

Q: ...CNRMA and say hey, I wanna send this MA to FLETC school, can you help me?

A: It’s more convoluted than that. Like - like I said, our new security director was a, ah, a command master chief assigned to Fleet Forces.

Q: Like they have in TWMS, the SF 182 and can’t they go in there and just submit a request to go to FLETC School?

A: I don’t think the SF 82 applies to military people. I think they have to do cert.

Q: Oh, it’s different?

A: It’s a different pot of money and process.

Q: Okay.

A: You know, a perfect example, we wanted to send, um, three civilians two a field training officer program out in town.

Q: Okay.

A: Because it’s, for that position of a field training officer, it’s recommended they go through a local FTO academy. Region came back, we’re not paying $575 a piece for that. We’re not do- we don’t have the money. But yet we can send an MA-1 TAD down to say Washington or Virginia to do a urinalysis, coordinate a class or whatever because there’s plenty of funding for training for that, so I - I - I don’t know the nuances but I know that there’s - there’s different financial pots to pull from when it comes to civilian and military...

Q: There has to be some...
Q: ...some kind of a way to send the military to that school. If - if that’s the right thing to do.

A: Fleet Forces and CNIC have apparently decided they’re not going to send military personnel to FLETC.

Q: Now Fleet Forces, you keep mentioning them, but we don’t fall under them, right?

A: It...

Q: I mean, they - they handle the ships?

A: No, no, it’s Fleet Forces sets the standards. C- from what I gather it’s, and - and again, this is way above my head. Fleet Forces says this is what you’re gonna do. CNIC says okay, we’re gonna do it this way and here’s how we’re gonna pay for it and the regions basically, okay, here’s what you get, make it work. That’s how it’s been explained to me.

Q: Yeah.

A: To me it’s a lot of red tape. I personally liked it better when it was sync, land, fleet and there were no regions and everything was controlled at the local level.

Q: Yeah, I know, I - I - I hear what you’re saying. Um, okay, so again, we have a conflicting, a - a problem because you’re saying there’s an expectation that you will utilize the MAs on the patrol, right?

A: Mm-hm.

Q: To meet your mission and yet at the same time, you’re being told you’re not allowed to send those people to the training that’s required to do that job.

A: And that we as police supervisors or the training planner are responsible for willing the role of the certified instructors at FLETC to bring these guys up to speed.

Q: All right, okay. So who actually told you - you can’t sent them to, you’re saying in broad terms you heard that Fleet Forces and CNIC decided they’re not...

A: Okay, I - I’m...
Q: ...they’re not sending them but...

A: I get all this through my - through my director and through sync meetings and...

Q: Yeah, okay. So basically the person you hear it from...

A: I have not had a personal conversation with Admiral (Smith) who said we’re not doing this.

Q: Right, but they told you we’re not sending them because...

A: Well this goes back as far as...

Q: Okay.

A: And I’ve sat in meetings and I know ‘cause the XO, to her credit, she did pull the string on it and wanted to know why we couldn’t. And she - she just said well she is being told that it’s - it’s not an option. Who the final yea or nay is on this, I don’t know because I’m sure this goes, this isn’t a regional decision, this goes up top of the chain. But I can tell you that no military component is sending military police officers to FLETC.

Q: Well, that, yeah, how do you know that? I mean, that the Army doesn’t send people, you know that?

A: I broke it down. Basically of the 260 hours that they get, they get maybe seven or eight hours of actual law enforcement training. And the two MAs that we just had report in, I sat down with them and went through the curriculum just because they just graduated from A School and asked them what they got and some of the responses were well, we skipped that this day, well this says, you know, traffic stops, field things, stuff like this, a couple hours. Well, we all...
didn’t get a chance to do it, some of us just watched. It’s - it’s a joke.

Q: Hm. So they go to this A School for MAs?

A: Correct. And the - the majority of the focus on that is physical security, force protection type stuff. There’s virtually no legal training or actual hands on law enforcement training. Where on the flip side, the fi- the civilians get all the - the hardcore law enforcement stuff, but when they come back, well you didn’t get the sentry stuff and all this other stuff, so you have to complete this, too. So they have to go through that extra week.

Q: Mm-hm, mm-hm, which is more like what some of the stuff they teach at A School?

A: Right.

Q: More of the force protection?

A: Mm-hm.

Q: I see, hm.

A: It’s stuff like harbor security and stuff like that, they may do in A School. It’s not applicable here.

Q: Yeah. Okay.

A: , things, to- topics like that. Those we’re not even here so it’s not even like the civilians or military would be missing out if they didn’t get those.

Q: Right, okay. Okay. All right, now here’s, ah, God, we’ve got - I’ve got somebody else coming at 11:00, you know?

A: Exactly, yep.

Q: Um, quickly, you mentioned also that Commander (Sellerberg) changed your performance evaluation? Now did you say it had been actually previously digitally signed by ?

A: Yes.

Q: How do you unsign somebody’s...

A: She had the people at CNRMA do it.
Q: Oh, like you can actually go into that?

A: Following - following this complaint I demanded an answer. Now I did not see the questions or information Captain (Boyer) sent to CNRMA, however, the new director read an email to me from the head of HRO at CNRMA, [b](6). I can’t even spell her last name.

Q: Yeah, it begins with an S.

A: Yes.

Q: or something.

A: So I asked, “I would like a copy of that email.” He sent me the email after talking to the captain. He was not allowed to send me what the captain sent to her, but her response, I received and I responded. They claimed the XO did nothing wrong.

Q: Who - who is this, now, [b](6)?

A: [b](6)

Q: Okay.

A: She did an investigation and said that nothing was, there was no wrongdoing on the XO’s part. The digital signature was accidentally lost. Because the XO claimed she needed to finish my eval and since [b](6) wasn’t there, she needed his signature removed. Which can’t...

Q: He had signed the midterm?

A: My final.

Q: Oh, he had signed the final?

A: He retired on September 30th, the last day of the rating cycle. He completed my eval and signed it.

Q: Do you have a copy of that one that he signed?

A: No, because it’s part of the program. I’m not, I don’t get that until the award portion is finalized and released by CNRMA.

Q: Okay, right, right.
A: But I have a two-page signed letter from him...

Q: But...

A: ...stating she removed his signature. She definitely changed, ‘cause I showed him the eval that I got, I didn’t write this, this is a lie, and he gave me a two-page letter stating that.

Q: Okay, he digitally signed your evaluation, um, prior to September 30th or?

A: On September 30th.

Q: On 30 September. Okay, and then, um...

A: Now, the XO...

Q: When did she change it?

A: Which time? ‘Cause I don’t know. She’s - she digitally signed it at least three times.

Q: Well, do you have a...

A: She claims once.

Q: ...copy of one that she signed?

A: I have copies of two that she digitally signed.

Q: Do you know when those dates were?

A: Ah, 23 October and November 2nd, I believe. After the period had even closed.

Q: Fifteen, and these, it’s 2015, right?

A: Yes.

Q: Yeah. Okay, and you’re saying he had signed it on 30 September before he retired?

A: Yes.

Q: But you don’t have a copy of the one he signed? Like I - I just am saying it’s
possible, I think, to print that out like if you had seen it before you knew that it was changed you could have printed it out.

A: Well, for one thing, I never anticipated...

Q: Or he could have printed it out.

A: No.

Q: Did he print it out?

A: No, you’re - you’re not allowed to.

Q: So there’s no copy of that?

A: No.

Q: No evidence, really, other than his letter?

A: Well, let - let’s put it like this, when I’ve never had cause to go in and print the signature page on my eval before it’s been issued to me.

Q: Oh, excuse me, sorry.

Man: Oops, sorry.

Q: Um...

A: Just give us a couple minutes, [b] (6).

Q: Yeah, actually, it’s probably gonna be a little more if that’s okay with you.

A: Yeah.

Q: Do you have time? Um, hi, could we, I’m gonna need a little bit more time in here. Can you come in maybe half an hour? Would that be (unintelligible)?

Man: Yes, I can, yeah, no problem.

Q: You sure?

Man: Yeah.

Q: Okay, thank you.
Man: Okay.

Q: Appreciate it.

A: Hey, ?

Man: Yep.

A: Do you wanna work, w- were you heading home? Do you wanna work right through?

Man: I was gonna go - I was gonna go home.

Q: Okay...

A: ‘Cause you’re back here at, as long as - as long as he’s back for duty at...

Man: 1:30.

A: ...1:30.

Q: Okay, have you been up all night?

Man: No.

Q: No, okay, I didn’t...

A: No, he’s working ‘til, ah, .

Q: Okay. Okay, so just give us about another 30 minutes.

Man: Okay.

Q: Okay, thanks. Okay, sorry.

A: Get with the XO ‘cause this is a very touchy, ah, I am so pissed off about this whole situation because under the rating cycle my director is my rating official. She is the higher rating official.

Q: Okay, the XO, you mean?

A: Correct.

Q: Is supposed to be the senior rating official, right?
A: The director did my eval, he signed it. Her job is just to sign it after that.

Q: As the second rating official?

A: As the senior rating official.

Q: Mm-hm.

A: Now that was done, so there was nothing else to do with my eval. The only thing remaining was the award recommendation portion and my actual rating, one, two or three. The eval itself was done. Had she had just not done anything and given me my eval and screwed me out on award, great, I would have had [b] (6) ’s eval, no award but it would have had her signature and his. She had it removed. Region is claiming it was an accident. I have an email from her saying if I have a problem with her changing - changing his eval I can take it up with HRO. So she changed it. I have the email that predates that. So whoever’s covering this up down at region to back her up to keep her out of trouble, I don’t know, but I am gonna get to the bottom of it.

Q: Okay.

A: She falsified a document, she put information in my eval that is not true and she could not substantiate, she has not followed the instruction to give me my performance appraisal review. My performance conversation, I met with her, I addressed her, she wouldn’t answer my questions ’cause she couldn’t. ’Cause everything I could justify, I had copies of everything. I can back up everything in my eval.

Q: Okay.

A: She put me off, scheduled another meeting, cancelled it. Then she be- before comple- advised me, she’s telling a subordinate to file a grievance. Why? There’s nothing to grieve yet. You haven’t given me my eval.

Q: Oh, she told you that before she gave you the eval?

A: Right.

Q: Ah...

A: So finally after prompting the CO and making complaint after complaint after complaint, she finally agreed to sit down with me again. And I brought my deputy director with me each time, who’s active duty military. The third time she sat down, I asked her the questions again. “I don’t have to answer you. If you want responses you submit them to me in writing and I will answer you
via email.” “Thank you, ma’am.” And I did just that and I sent her questions. I have not received an answer to one.

Q: When did you send the email?

A: It’d be after our third meeting. I will send you the entire email history of this.

Q: Well, let me say something about this, because you said this happened after you submitted your complaint? Now was your rating down less than what it was when...

A: She didn’t rate me. She rated me as - she rated me, ah, forget the award portion because I was not, for the past four years I’ve had perfect evals.

Q: Well here’s, let me just...

A: She clicked the acceptable. Performance acceptable but then her narrative says not performing at the expert level.

Q: Okay, and now is that different from what had said?

A: One hundred percent completely different.

Q: He had said more favorable things than she did, is that correct?

A: He closes out his letter saying that he had intended to put me in for QSI this year ‘cause it’s my fourth consecutive perfect eval.

Q: Okay. Okay, that’s what I was just trying to ask you was her write up less favorable than s?

A: It’s the worst eval I’ve ever received in my career.

Q: So it was less favorable than s?

A: Oh, yes.

Q: Okay. She, so she, when she...

A: And the fact that she’s never observed my performance.

Q: Okay, so, um...

A: The only one that should have stepped in if it came to the fact that okay, is gone, he did his eval. Now we come to the award portion, well
who’s been your, now that [b] (6) [b] (6) is gone, who’s your supervisor? [b] (6) [b] (6), who was the prior deputy director. He should have continued and finished as the rating official.

Q: Right.

A: The XO had herself put in as both my rating official and higher rating official, that was her doing. And I specifically sent an email to region prior to that asking because once [b] (6) left he couldn’t fulfill the remainder of like say when I rate [b] (6) [b] (6).

Q: So she’s in there as both your rating official and your seating rating official?

A: Mm-hm.

Q: Now see, if that was the case that she became somehow your rating official then the CO would have been the senior rating official. That’s how it goes. It’s not the same...

A: There...

Q: ...person.

A: There is - there is a caveat in the instruction of business rules for IPMS that says when there’s certain circumstances, the rating official can be...

Q: Oh, both.

A: ...both if the executive director of the program approves. I have no approval and it’s supposed to be annotated in my appraisal, the circumstances.

Q: Of why?

A: It’s not.

Q: Okay. Okay, so you did some research on that. So here’s the thing, though, what I wanna just say about this one is this is probably something to share with the people doing the reprisal...

A: Oh, it’s, um, I’ve got the whole...

Q: ...complaint.

A: ...package ready to go on a separate, this is a separate issue that I’m filing.
Q: Yeah, so besides the...

A: But from - from a...

Q: ...verbal threat of the PAT test, this eval thing...

A: From the other standpoint, the CO of this base and I - I called him to task, you know what your XO did. You’re the commanding officer, the convening authority, you know you have facts in front of you that she did something wrong. She’s violated UCMJ. What are you gonna do about it? Nothing.

Q: You, did you send him an email to that effect?

A: This was verbally spoken directly and I do have emails to him to that effect.

Q: Can...

A: She has lied. She’s put false information in an official document about my performance. She’s failed to comply with the instruction regarding IPMS. And her cavalier attitude, every response is, “How do you - how do you justify this? Can you ex- I’m the XO.”

Q: Okay.

A: That is her response.

Q: What’s the IPMS instruction, do you happen to know?

A: Not the number but I’ll be more than happy to send it to you along with the business rules and everything else...

Q: Yeah, I’m not really sure what we’re gonna do with that because it may be more appropriately dealt with as part of the reprisal. I - I would, I think that’s probably...

A: Nothing was done.

Q: ...the proper venue for that.

A: , and don’t take this personal, I have no faith in the IG. I don’t. You know, from the previous relationship we had with , you guys had my complaint, it lasted over a year and a half, two years before I had to go to Senator (Whitehouse). Then all of the sudden you and showed back up at Building 1373, now it’s a high priority thing. And I do a FOIA request at the end of your investigations...
Q: I remember all that.

A: ...guilty for (unintelligible) abuse, mismanagement of the award funds, [b] (6) was guilty and what did he get? Nothing.

Q: Well, this is what you have to understand.

A: IG headquarters gave him a GS-14 job down in DC.

Q: I know. I know. But you have to know that we had...

A: I don’t blame you guys personally, but the politics involved, it’s a whitewash. It always has been and I’m - I have no doubt that this will be the same thing. And we’re not gonna let the supervisors, and I mean, we, [b] (6) , [b] (6) , me- financial, we have nothing to gain in this. We wanna do our job.

Q: Yeah.

A: We wanna make sure everyone’s safe and this base is protected. Yeah, the sergeants, they might benefit because if they get the lieutenant position filled, one of them get promoted, I’m not getting anything out of this. But we have targets on our back now from this command and the region because we stood up. And we didn’t wanna go outside to the senators and everything.

Q: Well...

A: We started this in house and in CNRMA.

Q: Well I saw that, I could see that.

A: And CNIC and Fleet Forces, and SECNAV, it’s like and then DOD. How far do we have to go?

Q: Yeah.

A: We’ve been sitting saying you know what, if - if we don’t get anything done and - and the congressmen don’t do it, maybe we should sit down with one of the local news stations because this is - this is a whitewash.

Q: Yeah, this - this particular matter of the, um, eval being changed after, now I know your first letter was in September 17th, right, was the first letter that you sent to CNRMA, right?
A: Right, but - but this...
Q: And then in October...
A: ...issue has been going prior to that.
Q: ...you sent another one. Right, and so then after September 17th is when she changed your eval, right?
A: And isn’t it coincidental that after the whole eval process had closed, it was closed, when [b] [6] said he was coming up here to do his investigation she reopened my eval again and digitally signed it after it was closed. I don’t know what she did, but who gives someone - I know I can’t go open an employee’s eval after it’s already been closed. The deadline was over, it was like October 27th, I believe. Why did she go in there, coincidentally, the same time he’s coming up here and do something to my eval? Is that when she put all that language in there?
Q: Yeah, you had...
A: I don’t know.
Q: There’s a second letter here that you wrote October 21st to congress, right?
A: Mm-hm.
Q: No, this is to the two admirals, admiral CNIC and Fleet Forces.
A: And following that is when [b] [6] was directed...
Q: Oh, and you faxed this to congress on...
A: Mm-hm.
Q: ..October 21st. So I - I think that evaluation situation is definitely something to include in the reprisal when you talk to someone...
A: Oh, I’ve already spoken to an attorney. They’ll, I’m putting...
Q: But I mean, when...
A: ...that whole, but with OSC you gotta put together that whole like 11 page complaint form that they, but...
Q: Okay, so that, I would include...
2836 A: I have...
2837
2838 Q: ...that in there.
2839
2840 A: ...pages and pages of backup on this.
2841
2842 Q: Okay, but I would say that for right now, let’s let them handle that.
2843
2844 A: Oh, absolutely.
2845
2846 Q: I hear what you’re saying and I’ve got it but I’m not gonna go there because I,
2847 we don’t wanna be concurrently...
2848
2849 A: Right, but I’m just saying from a reprisal standpoint that’s one thing.
2850
2851 Q: Mm-hm.
2852
2853 A: But from a military violating UCMJ and rules and regulations...
2854
2855 Q: That’s a separate matter.
2856
2857 A: ...that’s a separate point.
2858
2859 Q: I see.
2860
2861 A: So if she’s not...
2862
2863 Q: I will discuss that with...
2864
2865 A: ...following through her...
2866
2867 Q: Yeah.
2868
2869 A: ...obligation under the CNIC instruction governing IPMS she’s in violation.
2870
2871 Q: Mm-hm, okay. Yeah, if you could send me the IPMS instruction...
2872
2873 A: Mm-hm.
2874
2875 Q: ...just so I don’t have to hunt it down if you happen to have it.
2876
2877 A: Okay.
Q: That would be helpful. Um, yeah. All right, now the other two things are lastly, this was in the emails, oh dear, from to you. And it’s talking about somebody, he’s mentioning the gun decked and screwed up MA compliance training. Now was that covered by what you already told me or...

A: No.

Q: ...to me the term gun decked...

A: That’s...

Q: ...means falsified or something.

A: It is, it is, it is. But, um, that’s more of an open issue right now because the union was going to file an unfair labor practice. So from a management standpoint, my advice to the director and the CO was the training that the - the two MAs in particular that they’re undergoing do not call it compliance training. Because if you do, you - you’re gonna be in violation, they - they’ve got you. If you put it as familiarization training the union will not have a leg to stand on to file an unfair labor practice. So that’s kind of an open issue right now because nothing really has occurred. But the premise started was if we’re not gonna send MAs to FLETC, the XO insisted that they be given compliance training which is a whole separate issue.

Q: So this gets back to what you were talking to me about before about the disparity between the civilian and military?

A: Well this is - this is, ah, a - a - for any MAs or civilians who have not been to FLETC there’s a provison where you can meet compliance training. Like say so when I, there’s an, ah, CNIC HPD advisory that came out which falls in line with the CNIC instruction and - and there’s a form and it says you have, you basically if we’re not gonna send you to FLETC you’ve gotta prove to us you meet the same minimum standard. So when I had to do it a couple of years ago, it’s like okay, um, you know, bachelor’s degree in criminal justice. Here, I attended the (Renau) Municipal Police Academy and here’s my certificate and all the hours that I achieved here. Over the years, here’s all the sustainment training that I’ve kept up with and done this. All the additional training I’ve done independently to show okay, yeah, we’re not gonna send a guy who’s got all this to an introductory academy.

Q: Mm-hm, mm-hm.

A: Well...

(b) (6)
Q: I follow you.

A: The XO’s thing was well, our MAs just do the compliance instead. But compliance only applies to MAs prior to 2006 or civilians hired prior to that date, prior to this, all this academy stuff started.

Q: I’m so confused.

A: So she’s saying brand new MAs or MAs that came out after that date, just give them the compliance training. Which...

Q: She being the XO?

A: The XO. And in fact, there’s an unfair labor practice right now that’s filed by the XO.

Q: Why is that an unfair labor practice? What does that have to do with civilians?

A: Because it’s circumventing the system and because the person she’s directing to do this training is the training officer who’s covered by the bargaining unit.

Q: And he, what’s wrong with asking him to give them that training?

A: Because they haven’t negotiated the instruction yet. So for him to do it, the union, he’s basically saying you’re putting me in a predicament ‘cause I don’t agree with this. We haven’t negotiated this yet. How can you make me do something when your paragraph says you have to negotiate it before it’s implemented?

Q: Okay.

A: You’re making me do it.

Q: With the union? Meaning...

A: Right.

Q: ...the union hasn’t approved it yet?

A: So when she called a meeting with myself, the master chief and the training officer. At the opening of the meeting I - I as- I said, “Respectfully, Commander, I - I don’t think at this time should be present for this meeting, for this discussion.” “Why?” I - I just, ‘cause I don’t wanna tip him - his hand and she just basically shunned me, “I
don’t care.” We had the meeting, [b] made his comments and he
got... Q: Who’s [b], the training officer?
A: The training officer, he’s a patrolman. He went right back to the union...
Q: And he’s non-supervisory?
A: Correct. Basically, she played right...
Q: Bargaining union member.
A: She played right into their hands, they filed the unfair labor practice. And
and I went right into the master chief afterwards and said, you
know, personalities aside, I - I don’t...
Q: So he complained to the union because the XO asked him to give some
training to the MAs basically?
A: Basi- well, if - if you wanna put it in that frame, but his thing is basically you
guys have been trying to do - negotiate this instruction and the XO just told
me to do it. So here’s your ammunition...
Q: Okay.
A: ...to get her.
Q: Okay, so be...
A: The instruction hasn’t been negotiated.
Q: Okay, okay, so he complained to the union because the XO asked him to give
the training to the MAs before the training instruction...
A: The actual instruction had been negotiated.
Q: ...had been negotiated and approved by the union, agreed upon to - by the
union.
A: The impact and implementation.
Q: If there’s a training instruction is it...
A: That’s that 3502.02 I was talking about.
Q: 3502 CNIC instruction?
A: Correct.

Q: So that hasn’t been negotiated with the union but it has been issued by...
A: It’s been issued but see, it’s - it’s the whole labor relations angle, when it comes to instructions, it’s - it’s confusing because they can put an instruction out. But until it’s negotiated with the union, it can’t be implemented. Well, I shouldn’t say that. It, the - the aspects that impact the union can’t be.

Q: Like the uniforms and the PAT tests?
A: Mm-hm. It’s not to say that it won’t eventually go through and they’ll be stuck with it, but as far as impact and implementation, that’s, that can be quick...

Q: So it’s like the uniforms, that physical agility test and this training of, providing training to military members, right?
A: Right.

Q: Civilians training military, is that what...
A: Well not so much the training of the military, it’s the impact of that training on the union members. So in the case of he’s the training officer. Do this. I know it’s not what we’re supposed to be doing but just do it. Yeah, but we haven’t negotiated the instruction and what you’re telling me to do conflicts with the instruction. I don’t care, just do it. That’s what she’s saying.

Q: Y- why, the instruction says to do something else?
A: Right, they’re not th- compliance is only applicable to veteran MAs and civilian police officers.

Q: Oh, compliance...
A: New MAs...

Q: ...is a type of training.
A: Right, so new MAs aren’t eligible for compliance.

Q: Okay.
A: Just like new civilians are not eligible.

Q: So in this instruction, so you gotta help me ‘cause I don’t know what you’re talking about. The CNIC instruction describes something called compliance training, right? Is that what you’re saying...

A: You’re correct.

Q: ...there’s a section on it?

A: It - it covers all the training in compliance versus initial.

Q: Oh, initial training is another kind of training.

A: I’m confusing you.

Q: And it says compliance training only applies to MAs hired before 2006...

A: That...

Q: ...you said?

A: That was in the initial email message. I’d have to go back and look and see what the date is. Basically...

Q: It’s not in the instruction itself?

A: It - it, I’m sure there’s reference to it.

Q: Okay.

A: Basically when DOD first came out with this minimum training that everyone has to do this stuff.

Q: Yes, okay.

A: They put a caveat in there that no one’s grandfathered, everyone has to do this.

Q: Mm-hm.

A: The Navy has come out and said okay, no one’s grandfathered, but for those people that were already working here and doing this job prior to this instruction, we’re gonna do what’s called compliance packages for you guys.
So if you show that you’ve done all this...

Q: Okay, so you just explained that to me.
A: Right.

Q: I got you now.
A: So the XO was basically saying okay, but we have these brand new MAs that aren’t gonna go to FLETC, then we’re just gonna do compliance training for them.

Q: Ah, well it’s not...
A: It’s not possible.

Q: ...really compliance training, it’s a compliance package where he’s gonna look at what they already...
A: Well, she’s not saying do the package. Basically she said just do these sustainment do- CNRMA came out and said to qualify MAs just give them these specific sustainment topics and that’s good enough, but it’s not. It doesn’t meet the standard.

Q: Okay, so what I can say, though, about this allegation about the gun decked master at arms training, in other words he’s saying that they didn’t really get the...
A: That’s an open issue.

Q: ...full scope of training that they’re supposed to get.
A: Oh, absolutely not.

Q: But we’re trying to say they did?
A: They sat in a class with [b] (6) and did Power Points for a week.

Q: And that’s what he means by gun decked?
A: Right, they’re not, they do not have the same initial or they don’t meet the same...

Q: And it’s just two guys that we’re talking about?
A: Just two.

Q: And the union is still dealing with this?

A: But because that’s an open issue, because...

Q: Okay.

A: ...they didn’t classify it as compliance and these two guys are still riding around for familiarization.

Q: Okay, and it’s...

A: The union can’t take any action.

Q: And does he have an open unfair labor practice with the union on this topic now still that hasn’t been resolved?

A: Yes. The initial one that, um, about the meeting. I don’t know whether they have another one following that, but the one of the meeting, there’s - there is a case number assigned by the FLRA for that.

Q: Okay, so point being I probably should not do anything with that because the union is already handling it for the time being?

A: Plus, as far as the gun decking for these two specific MAs because they haven’t been put on patrol yet.

Q: Okay. What are their names?

A: Um, who is gonna be a moot point because he’s retiring or getting out of the Navy, I should say, in another week or two.

Q: Okay.

A: And the other one is. Which in my opinion, he will never be patrol qualified.

Q: And neither of them have been put on patrol?

A: No, not solo patrol by themselves, no. And as long as that word familiarization is what put us in compliance, the union doesn’t have a leg to stand on.

Q: Okay, so we’re gonna, you don’t see this as a - an allegation...
A: Not right now.

Q: ...to pursue? Okay.

A: But as we get more and more MAs, it - it’s - it’s gonna raise its head again.

Q: Okay. Um, oh, yeah, now the vehicles. I had talked to [b] (6) about the vehicles.

A: Oh, he’s the guy to talk to.

Q: That was something also in this email. It said something about the vehicles that have been sitting in the front lot since last summer.

A: Mm-hm.

Q: So I - I wanted to just find out what the story was with that and I - I think I understand it but it’s kind of a bigger problem. Um, [b] (6) said it’s this whole system that’s in place now to, they buy the vehicles...

A: There’s so much red tape now with CNIC and...

Q: Through GSA.

A: ...these authorized equipment lists and all this. In the past when we got a fleet of vehicles we’d get our bids, we’d send it to the vendor, everything would be purchased and put on by the vendor there. It was never an issue. Now it’s jumping through hoops to get approval. Is this on the list? And I know one of the examples, I don’t know whether [b] (6) mentioned it is, oh, we have the light bars but they don’t come with the brackets. It’s a separate issue. You’ve gotta be kidding me.

Q: Yeah.

A: And, you know, another equipment issue which we had in the teleconference, one of the, ah, our armory, ah, personnel mentions, you know, this authorized equipment list, if it’s not on it, you don’t get it. And his thing is well, we wanted to get flashlights for our rifles. The mounts to put the flashlight on the rifle, they’re on the AEL. The flashlight isn’t.

Q: Yeah, I can...

A: It’s ridiculous.
Q: Yeah.

A: But to have these tied up all this time, so we’re paying the leases on these and we’re paying a lease on the vehicles that when those arrived, we’re supposed to turn in two other vehicles. Now we’re paying more money on those.

Q: But you can’t use them, you’re paying on these vehicles that you can’t be put into operation, right?

A: The - the two vehicles in the front lot right now, other than if an admin person wants to run an errand, they can’t be used for police work. They’re not outfitted with lights, siren, cages, any of that stuff.

Q: Okay, all right.

A: But I guarantee you, before September of this year, they will be fully outfitted and marked because we ran into the same problem in 2013 I wanna say. What are we in, ‘16? 2014. I’m sorry. Same issue, pickup truck showed up, the union was filing a grievance, they sat out there for weeks and weeks and weeks. The in- international sea symposium conference is going on at the war college, we need vehicles, we need every- the union made an agreement, okay, we’ll drop our unfair labor practice but you need to outfit them with this and this. One phone call, CNO to CNIC, those trucks went out, they were back within a week.

Q: Mm-hm.

A: We’re in the same boat this year for ISS. It’s coming up again in September. I guarantee those cars will get done. But it’s unfortunate that you have to have something like that put a fire under someone to get it done.

Q: Yeah, and meanwhile, all these months are going by that he told me we’re paying $1800 a month per vehicle.

A: Th- this happened numerous, we - we turned in a vehicle years ago that sat down at our public works facility that the government still paid a lease on. We weren’t using the vehicle anymore ‘cause we turned it in. It sat there for almost a year.

Q: Mm-hm.

A: Now I don’t know, once it goes to public works and GSA and who - who deals with it, but it’s a waste of money.

Q: But, you know, when you look at the bigger picture, it just seems like is it, this
is, you - you’re just looking at Newport and two vehicles. But I mean, this
could be...

A: Systemically...

Q: ...across CNIC. There might be 100...

A: This is...

Q: ...vehicles that are sitting in lots without outfit...

A: And you add up all the grift and the fraud, waste and abuse, it’s ridiculous.

Q: Without their equipment and they’re being paid for and they can’t be used. I
mean, who knows? If there’s two here there might be...

A: Just think, but Admiral (Williamson) came up here a few months ago when he
came up, they spent a half a million dollars to fix our pop up barriers. He left,
the day after he left they malfunctioned again. They’re junk. We have
subcontractor after subcontractor, one cannibalizes this to fix that, they’re two
separate systems. It’s ridiculous. The average taxpayer, ah, I mean, and this is
just Newport, like you said. If this is going on everywhere, no wonder we’re
in the budget situation we’re in.

Q: Yeah, yeah. Yeah. Okay, well that’s all I had, that was my last topic was the
vehicles. Um, I think we covered everything. And I know you already went
through a great deal of - of discussion with, um, but that was, I believe
mostly focused on the overtime and manning, ah, issues.

A: And like I said, his, the recommendations that we were able to see, ‘cause like
I said, there’s over 80 or 90 pages that we filed the FOIA, it was denied. They
won’t let us see it, but the MA training, he addressed that, made a
recommendation, nothing’s happened. He made a re- recommendation about
the supervisory positions, nothing’s happened. Made the recommendation
about the risk analysis, they did it, the command’s not acknowledging it. So
everything he did, ah, like I said, nice guy, but the things that have gone on
here, we - we’re just getting the feeling we’re getting the runaround and we -
we know how it goes. We, I mean, [b] (6) was relieved here and
then she shows up for a job at the Pentagon, I mean, [b] (6), all that goes
- that goes without saying. That blew everyone’s mind. But again, that’s, I
mean, the politics at play is one thing, but COs come and go, XO’s come and
go, we’re still left with the problem. And my big fear is if we had a mah-
[b] (6) situation here or if anything happens we’re all gonna fall. And
fingers are gonna be pointed and, you know, over time I’m sure you’ve seen
it, just, you know, and - [b] (6) is a good one for it, you bring
something up and it’s like well how long has this been going on? Why didn’t you report it sooner? Well now we’re reporting it.

Q: Mm-hm, mm-hm.

A: ‘Cause if nothing happens, at least we got a chair to sit in when the music stops.

Q: Yeah, yeah, okay. Well, you have a list there of a few things to follow up with - with me and if you think of anything else...

A: Okay.

Q: ...feel free to call me and I’ll do the same. And thank you for your time. I’m gonna shut this off now.

A: It’s...

The transcript has been reviewed with the audio recording submitted and it is an accurate transcription.

Signed

______________________________