

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45

INTERVIEW WITH (b) (6)
Q=(b) (6)
A=(b) (6)

Q: Record. Okay so today is May 19, 2016. And as I said my name is (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).

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

46 have this. This is how you can contact OSC here. And, um, you may wish to
47 check with them and see if they...
48
49 A: Okay.
50
51 Q: ...have received it or check with DODIG and see if they've referred it or what
52 to expect. I - I'm not really sure. But that's a totally separate process.
53
54 A: Mm-hm.
55
56 Q: Um, okay. So, um, before we proceed, uh, I want you to just y- uh,
57 acknowledge that the tape recorder's running and you're okay with that.
58
59 A: Yes.
60
61 Q: 'Kay. And also, it's okay to use your name as the complainant in...
62
63 A: Yes.
64
65 Q: ...in this case? I'm sure that's pretty clear. Um, and now this last form is just
66 about the importance of being candid and truthful during an IG investigation,
67 which I'm sure you're familiar with. Um, could you raise your right hand
68 please? Do you swear or affirm that the information you will provide is true
69 and correct to the best of your knowledge?
70
71 A: I do.
72
73 Q: Okay. Thank you.
74
75 A: I should've worn my glasses.
76
77 Q: Oh, I have an extra pair.
78
79 A: No, that's okay.
80
81 Q: I always keep 'em handy. I need 'em too now. It's terrible. All right, so the -
82 the - what I kinda see is that the main issue is the overtime concern. The
83 safety issue with the levels of overtime. Is that...
84
85 A: Th...
86
87 Q: ...would that be accurate?
88
89 A: That's one of 'em.
90

91 Q: Wh- okay.
92
93 A: The - the - which falls in line with the supervisory staffing.
94
95 Q: Okay. Right - right. The reason for the overtime is that the staffing is...
96
97 A: Mm-hm.
98
99 Q: ...is not there. Right. Okay, so I understand - I could see from (b) (6)'s report
100 which was issued December 2015 - he finished that. Um, that he made some
101 recommendations and also subsequent to that I saw that safety here locally did
102 an, um, operational risk management report. Which further...
103
104 A: Well that's - that's subjective because they did do one. We have a copy of the
105 signed assessment they submitted to the executive officer...
106
107 Q: Mm-hm.
108
109 A: ...Commander (Sallerberg).
110
111 Q: Mm-hm.
112
113 A: However, learning recently of a meeting the Union had with the, uh,
114 commanding officer, he said no such thing existed and it was still being
115 worked on. So, he lied directly to the Union and we have not been officially
116 provided a copy of the risk assessment from the Triad at Naval Station
117 Newport.
118
119 Q: Okay.
120
121 A: Because the XO threw the safety representatives out of her office and said it
122 was unsatisfactory 'cause the recommendation in there was obviously if you
123 don't have supervisors the way to eliminate supervisory overtime would be to
124 hire supervisors. And she told them that was not an option - it was not going
125 to happen. So in a sense when the Captain...
126
127 Q: Now did you hear her say this or you - this is second hand?
128
129 A: No, this was all relayed to myself and (b) (6) who at
130 the time was the acting Security Director.
131
132 Q: And who - who relayed that to you?
133
134 A: (b) (6) and, uh, (b) (6). They had come over to the building
135 after they had met with the XO and they met with (b) (6) and I

136 behind closed doors in (b) (6)'s office and the- they were upset
137 because they felt that the XO put them in a predicament. They said they were
138 told as safety do the risk assessment, which they did. They presented it to her
139 and she reportedly told them what I just said - that it wasn't going to happen.
140 And one of the committee members was (b) (6), one of the
141 complaining supervisors and she reportedly told them to order him to write a
142 policy to eliminate the overtime with the existing staff we had and if he didn't
143 that's fine because that way she could write him up for failure to obey an
144 order.

145
146 Q: Okay.

147
148 A: Which they felt uncomfortable as (b) (6) explained, you know,
149 we're safety. I-

150
151 Q: Has he done that - do you know?

152
153 A: (b) (6) does not work for me.

154
155 Q: Do...

156
157 A: No, he...

158
159 Q: Oh, he doesn't work for you so you don't know if he's...

160
161 A: No - no, (b) (6) - (b) (6) had said, "(b) (6) doesn't work for me."

162
163 Q: Oh - oh, I see.

164
165 A: "I can't order a police lieutenant to write an SOP."

166
167 Q: Right - right.

168
169 A: So he said, "I'm not doin' that." Now whatever transpired after that, I have no
170 idear, but to my knowledge (b) (6) ...

171
172 Q: Now (b) (6) ...

173
174 A: ...has not been given the order to write an SOP.

175
176 Q: Okay, and he works for you right?

177
178 A: Yes.

179
180 Q: You're his supervisor?

181
182 A: He's one of the co-complainants.
183
184 Q: So he's never really been directed to write this SOP?
185
186 A: No.
187
188 Q: And is it feasible to write...
189
190 A: No.
191
192 Q: ...such an SOP? Is there another way around this besides...
193
194 A: No.
195
196 Q: ...hiring more people?
197
198 A: No, there's none.
199
200 Q: Okay.
201
202 A: The directives instructions mandates certain that a patrol supervisor would do,
203 or a watch commander would do, C&IC in their wisdom eliminated all
204 supervisory police officer positions at Naval Station Newport with the
205 exception of myself.
206
207 Q: Right.
208
209 A: So who is going to run the shift?
210
211 Q: Do you know if this is just applicable to Naval Station Newport or if this
212 occurred...
213
214 A: I - from what I understand this is an enterprise wide problem. I can't speak for
215 sure as to what other installations where they've been completely eliminated.
216
217 Q: And this was in that 2012 study, right, that was done?
218
219 A: I..
220
221 Q: The MPV.
222
223 A: The MPVP - the latest one we have is from April 2014 which still has the date
224 stamp 2012 at the bottom, and that's when they eliminated all watch
225 commander and supervisor positions.

226
227 Q: Okay - at Newport?
228
229 A: So the only remaining civilian supervisors within the security department
230 would be myself and the Security Director.
231
232 Q: And military if they could be trained up to be qualified for that, right? Is that
233 an option?
234
235 A: Well, I think that's - I don't even think that's a feasible anymore 'cause the
236 C&IC and the DOD instructions mandated minimum training standards for
237 MA's and civilians. It's another ambiguity where a civilian police officer now
238 is hired and goes to (unintelligible). They received 485 hours of law
239 enforcement training. That is the bar that is set now for civilians. When they
240 come back from (unintelligible) C&IC mandates they undergo an additional
241 43 and a half hours (unintelligible)..
242
243 Q: This is all civilians now?
244
245 A: Correct. Now the typical MA his requirement - now remember minimum
246 training standards for civilians and military per DOD and the C&IC
247 instruction they go through 260 hours MA school. It's not the same.
248
249 Q: Okay, but here's my question, aside from that, is there an instruction that dec-,
250 um, dictates specific standards to be a supervisor on a shift regardless whether
251 your military or civilian? Certain things that you have to meet to be a
252 supervisor?
253
254 A: That would probably be in the NAV or the PQS, which is what qualifies you
255 to be that.
256
257 Q: What's that - PQS?
258
259 A: Performance Qualification Standard.
260
261 Q: Okay.
262
263 A: I..
264
265 Q: And where do I find that?
266
267 A: That would be in the NAV ED tray. I don't know the number offhand. I want
268 to see five - it's the 4300 series - I'd have to get you the exact number.
269
270 Q: But that has to do with the position description. Is that what you're talkin'

271 about?
272
273 A: No - no. This is uniform across the board, whether it's a military or civilian,
274 they're supposed to - that's the only document that I'm familiar with that says,
275 you know, "In order to be a watch commander or patrolmen...
276
277 Q: That's what we...
278
279 A: ...you should have these types of things."
280
281 Q: Yeah.
282
283 A: But again we're gettin' really dated here with the NAV ED tray, for example,
284 that's dated 2010, the most recent one.
285
286 Q: NAV ED tray.
287
288 A: Which is the PQS for law enforcement and security positions. But yet you
289 have instructions that come out that postdate that. You had civilian supervisor,
290 military supervisor that...
291
292 Q: I guess...
293
294 A: ...predated that.
295
296 Q: Yeah, what I'm getting at is would it be a feasible alternative since that
297 manning document eliminated all the supervisory positions, would military
298 supervisors be an option if they were trained properly.
299
300 A: Anyone could fill the position. If they...
301
302 Q: As long as they're trained properly.
303
304 A: If they were trained and had the proper...
305
306 Q: Right.
307
308 A: ...requirements. But again if you're gonna revert back to the MPVP that
309 eliminated those positions then the only military validated are ten reactionary
310 force.
311
312 Q: Oh, I see.
313
314 A: That's it.
315

316 Q: So the MPV eliminated...
317
318 A: That dictates what the position is.
319
320 Q: ...military and civilian.
321
322 A: Correct.
323
324 Q: Okay.
325
326 A: It doesn't make the distinction. Now granted the MPVP will break down - it
327 will say, uh, civilian billets for patrol say, you're validated for 15.65 civilian
328 patrol officers. You're validated 1 civilian command investigator.
329
330 Q: So it - it eliminated the billet regardless of whether it was filled with military
331 or civilian.
332
333 A: Correct.
334
335 Q: Okay, so...
336
337 A: But the MPVP dictates how many billets military and civilian you have.
338
339 Q: Right, okay.
340
341 A: It doesn't distinct between position and the employee.
342
343 Q: Right or what kind of bodies in there. It's just the...
344
345 A: Right...
346
347 Q: ...position itself.
348
349 A: ...it says we are supposed to have (b) (5) . That's it.
350 And then it breaks down the positions they hold.
351
352 Q: Right. And it's...
353
354 A: So...
355
356 Q: ...saying zero at supervisor.
357
358 A: ...the only military positions validated for Nav- Naval Station Newport are (b)
359 (b) (5) .
360

361 Q: That's the only military validated.
362
363 A: Correct.
364
365 Q: Reactionary. Is that what they call ASF?
366
367 A: No, they're a separate - they're not facted into the MPVP.
368
369 Q: Okay. Okay, so this is my - I feel like the fundamental question here. I gotta
370 ask you some others things, but...
371
372 A: Mm-hm.
373
374 Q: If this MPV...
375
376 A: MPVP.
377
378 Q: ...eliminated all the supervisory positions that would lead one to believe that
379 it's not required to have supervisory, right? Is that what - by default whoever
380 authorized that is saying...
381
382 A: Is an idiot.
383
384 Q: It's not required. That somehow it's safe and good and we can meet the
385 mission without supervisors.
386
387 A: The MPVP - without get- getting too deep - this was based on an OPM study
388 that was done by the Congressional Budget Office years ago.
389
390 Q: Okay.
391
392 A: And they were just - the study that was done just covered supervisor to non-
393 supervisor ratio. Period. So it said, you know, instead of one to seven the ratio
394 should really be one to eleven or one to fifteen. One supervisor to every
395 eleven to fifteen employees. The study, which the Navy for some reason
396 didn't factor in, never considered shift work. Never considered public safety
397 occupations. And every single federal law enforcement agency has rejected it.
398 The ones that went on record most vocally were the Marshalls and the FBI.
399 They said, "It's - it's impossible. We work 24 hours a day. Our offices are
400 spread out everywhere. Y- y- you need to have a supervisor in charge on
401 every shift." Well, the Navy didn't look at it like that. They just looked at the
402 blanket study. So whoever the bean counter was that made the decision said,
403 "All right, you have (b) (6) people but really you only need (b) (6) supervisors."
404 Which I don't even understand that ratio because under the MPVP that came
405 out in 2012 - which some positions have been eliminated - but with (b) (6)

406 people validated in the MPVP...

407

408 Q: Mm-hm.

409

410 A: ...but the only supervisory positions would be myself and the Security
411 Director. So it still leaves one supervisor to 30 employees. It makes no sense.
412 And every Navy that - that law enforcement and security instruction - NTTP,
413 OPNAV, C&IC Instructions - imitates duties that are performed and
414 responsibilities for the watch commander. The supervisor. Well if you
415 eliminate those positions, who's gonna do those duties? Well when it comes
416 to a civilian I already know for a fact that, um, (b) (6), the regional
417 deputy Security Director for (unintelligible) had said, I believe it - don't pin
418 me down here - it was either Mechanicsburg or Prospect (unintelligible) or
419 something. They said - he said, "Well, you know, they're in the same boat as
420 you. The director was in charge during the day. Your counterpart works the
421 eve shift. And they put the senior patrolman in charge of the night shift." I'm,
422 like, "H- how does anything get done?" And when it comes to a civilian, you
423 can't put a non-supervisory civilian employee in a supervisory position. One,
424 you can't hold him accountable. Legally you can't do it because eventually
425 he's gonna challenge it which was the case here in 2004...

426

427 Q: Mm-hm.

428

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

430

431 Q: Mm-hm. Mm-hm.

432

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

436

437 Q: Mm.

438

439 A: They agreed and changed it.

440

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

444

445 A: OPNAV 55.30.14 Echo.

446

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

449

450 A: The OP...

451
452 Q: ...some kind of fiscal (unintelligible).
453
454 A: And again, I'm a street cop. I came from the city. So wh- when I come in here
455 between C&IC instructions now and you have OPNAV and SECNAV
456 instructions. The OPNAV instruction says the MPVP is the only validated
457 model to fund posts and fill and - validate and fill posts. I - I don't know the
458 exact verbiage but...
459
460 Q: Is it this...
461
462 A: ...it's in the instruction.
463
464 Q: ...55.30.14 E? They talk about this post validation model?
465
466 A: Right, but if you have the actual, um, (unintelligible) on the - MPVP is the
467 only approved model authorized for use to determine and validate
468 (unintelligible) installation activity, security, post and staffing requirements.
469 They'll be validated using the MPVP. So, that's...
470
471 Q: But it seems...
472
473 A: ...that's the thing that says...
474
475 Q: ...like there's a breakdown in - in, um, there's...
476
477 A: ...you will do this.
478
479 Q: They will have to - so on one...
480
481 A: They contradict themselves.
482
483 Q: ...hand OPNAV says they have to comply with that MPVP, but then on the
484 other hand you're saying this...
485
486 A: But if you've read the OP...
487
488 Q: ...OPNAV also says you have to have a supervisor.
489
490 A: Right, and if you read reference N, the MTTP, which is the, um, tactics and
491 procedures.
492
493 Q: MTTP?
494
495 A: It - it's reference N. And that'll give you the exact...

496
497 Q: Okay.
498
499 A: ...number. That also goes into more detail about the watch commander patrol
500 supervisor positions.
501
502 Q: Okay.
503
504 A: A perfect example is the - the watch commander is - is the one that issues all
505 armaments and everything else at the start of shift and issues assignments...
506
507 Q: Okay.
508
509 A: So if you have no supervisor who's gonna have authorized access to the RFI
510 to issue weapons?
511
512 Q: Do you know if they've done a new post validation study?
513
514 A: I have not seen it.
515
516 Q: It says here every five years. So if that's '12, 13, 14, 15, 16, 17 it would be
517 due again.
518
519 A: We see from region, or things that I've been given for my eyes is, you know,
520 business plans for the region, what they're projecting. So they'll say this is
521 what you're validated but this is what we're only funded to provide.
522
523 Q: Mm-hm.
524
525 A: And next year maybe this, next year it may be that.
526
527 Q: Mm, okay. So that's one issue, is the fact that there's this already under
528 manned situation and if they continue to comply with this model if someone
529 else retires tomorrow that one also wouldn't be backed up.
530
531 A: Through attrition, which we've had, um...
532
533 Q: So re- feasibly...
534
535 A: ...originally we had...
536
537 Q: ...all four - five of you could just not come to work and then what would
538 happen?
539
540 A: Right, and we've run into that situation a few times where it's, like, you know,

541 okay someone's on leave, someone's out sick. Are we gonna hold the
542 supervisor for 24 hours?
543
544 Q: Yeah, I heard that.
545
546 A: What do we do? And - and luckily it's always been averted. Where a supervi-
547 uh, someone off duty finally does come through and comes in. But through
548 attrition we have lost one watch commander who retired.
549
550 Q: Mm-hm.
551
552 A: And we lost one patrol supervisor who retired.
553
554 Q: Right, but based on this somebody's saying you don't need them. And you
555 don't need any of you.
556
557 A: Right, but when they were validated they were here.
558
559 Q: Right.
560
561 A: I mean once they de-validated them they didn't ruff them, they just said
562 through attrition we're not gonna fill them. But they never came up with a
563 solution.
564
565 Q: Yeah, see what I'm tryin' to figure out here...
566
567 A: Or looked at it to say, "What is gonna happen when they're all gone?"
568
569 Q: Right, exactly, like, which is it? Are they or are they not required to have a
570 supervisor on each - every shift. It's, like, on one hand there's one thing that's
571 saying, "No, they're not required. We don't need them. We can operate
572 without them." But then on the other hand you're saying there's other
573 instructions that...
574
575 A: It's the proverbial right doesn't know what the left is doing.
576
577 Q: ...and just common sense kinda seems like - yeah, uh-huh. Okay, so as far as
578 the overtime situation now given the current scenario that you have, uh, two
579 vacant billets - supervisory billets. And then the - the others trying to cover it.
580 I can see from looking at your (unintelligible) records and from looking at
581 (b) (6)'s report and from looking at that there - there has been a lot of overtime
582 in the past. So my question now to follow up is since (b) (6) made his
583 recommendations has there been any change...
584
585 A: No.

586
587 Q: ...in the overtime?
588
589 A: No.
590
591 Q: At all? No.
592
593 A: Right now...
594
595 Q: So people are still...
596
597 A: ...we do have - we have...
598
599 Q: ...working 16 hour shifts sometimes?
600
601 A: Right now we have - w- we should have on every shift - and what we did at
602 one time - because we - we used to have a lot more people than we do now -
603 there should be a watch commander on every shift and there should be a patrol
604 supervisor on every shift. And that's to offset days off. So if a watch
605 commander's working five days a week, which is traditionally the - the GS-9
606 Lieutenant. When he is off the GS-8 sergeant fills in as watch commander.
607 When they're both here the sergeant is on the road doing patrol supervisor or
608 filling a post. It's always been that way. And that's the way it is traditionally
609 and every outside agency anywhere. That's the way it should be. Now we
610 have two watch commanders, one on the day shift, one on the eve shift. Two
611 patrol supervisors, one on the day shift, one on the midnight shift filling in as
612 a watch commander. And we have a military patrol supervisor who for
613 scheduling purposes it's easier to fill overtime on - on say the eve shift, so he
614 works the midnight shift to cover that. So every Friday and Saturday, or
615 whatever two days off the eve shift watch commander is off, those two days
616 every week is overtime.
617
618 Q: Still...
619
620 A: The problem comes up - yes, and - and two days a week isn't a problem
621 because the - there are supervisors that want the overtime. The problem comes
622 into play is when someone takes leave. Or, you know, in the past where
623 (b) (6), he's not anymore, but god forbid he gets activated as a
624 reservist. And we have someone on vacation or someone gets sick.
625
626 Q: So it's never been an option to just not cover a shift with a supervisor?
627
628 A: Y...
629
630 Q: As opposed to working overtime?

631
632 A: You can't do it.
633
634 Q: Well...
635
636 A: Who's gonna - who's gonna issue the oncoming shift their weapons? Who's
637 gonna do the inventory of the weapons and perform all the post checks? And
638 all the other supervisory duties? If you don't have a supervisor on a particular
639 shift who's gonna do - ensure supervisory oversight of that shift? Who's
640 gonna do those employees payroll?
641
642 Q: Right. It seems, like, either way you're - you're in violating something by
643 working too many hours if you do work. But then leaving things unattended if
644 you don't work. Oh, excuse me. Um, so last week - for last pay period for
645 example, was there anybody who worked a double shift?
646
647 A: Oh most definitely. I - I was on vacation so I - I don't see the schedule but I
648 know that (b) (6) was also on vacation so, um...
649
650 Q: Now when...
651
652 A: ...at least one or two days...
653
654 Q: ...when I say a double...
655
656 A: ...there must have been a couple 16 hour shifts. Or they may - some supervisor
657 may choose to split the shift and work 12's.
658
659 Q: Okay. And what do you really see, uh, I just - I know you've articulated this
660 before but I just want to hear you explain it to me as the problem with that.
661 Like, what kinds of problems are created by having somebody 16 hours in a
662 row.
663
664 A: Well, the fatigue issue.
665
666 Q: Yeah, yeah.
667
668 A: And, you know, even under the - the DOD and Navy, they, you know, the on
669 duty time and on duty driving times things. You know, instructions don't take
670 into account someone that, okay, you work 16 hours, which, you know, it
671 shouldn't be more than 10. In - in the past whenever a patrolman or sup- you
672 worked 10 hours - you worked 10 hours on the road. If you had to work 16
673 you did 10 hours, then you came in and you sat dispatch.
674
675 Q: Mm-hm.

676
677 A: You work dispatch the remainder of the shift. Dispatch doesn't fall under us
678 anymore. It falls under emergency management so we don't have that option
679 anymore.
680
681 Q: Mm-hm.
682
683 A: You can't just say okay after 10 hours of driving on a road come on and then
684 sit in the station the rest of the night. 'Cause now your patrol sector's not
685 being patrolled. Y- so the - the - there's no solution and then it comes down to
686 the logical point, "Okay, so I've worked 16 now I'm gonna get in my car and
687 drive home." And some supervisors live in the city of (unintelligible)..
688
689 Q: Right.
690
691 A: (Westport). You know, now you're looking at a hours drive home to and from
692 work. Y- you're not even gettin' eight hours sleep.
693
694 Q: Right. Right. Now I noticed that your own overtime really isn't that high but
695 that's because you're in a different position?
696
697 A: I'm the OpSo Officer and I have filled in. I've come in on Mids and filled
698 shifts. But also my (unintelligible) doesn't show overtime because I'm not
699 allowed to take overtime. I can only take credit hours.
700
701 Q: Or comp time. Or - oh, credit hours...
702
703 A: Credit hours.
704
705 Q: ...is what you use?
706
707 A: So my attendance roster from my (unintelligible) may look different 'cause I
708 noticed when, um, (b) (6) did his thing, you s-, you know, I only
709 worked so much overtime. Sin-, I worked a lot more than that.
710
711 Q: Okay.
712
713 A: But again my position is not a watch commander and if you gonna use me in
714 that position now I have an issue where you're taking me out of my primary
715 job to do a subordinate job so now you gonna penalize me in my rating cycle
716 where I'm not getting my job done because I'm doing a subordinate's job.
717
718 Q: Mm-hm.
719
720 A: Y- your robbing Peter to pay Paul no matter how you slice it.

721
722 Q: Right - right. Okay, so, um, since (b) (6) issued his report which was, like,
723 January - December, January - has there been any effort to hire new...
724
725 A: None.
726
727 Q: ...police officers that you know of?
728
729 A: We were told by the commanding officer that foll-, you know, following the
730 report that we would submit RPA's to backfill the supervisory positions and
731 he puts it in his weekly brief to the Admiral. Nothing has been done.
732
733 Q: So you did submit the RPA's?
734
735 A: Yes.
736
737 Q: For two supervisors?
738
739 A: One watch commander and one patrol supervisor.
740
741 Q: So there's - those are two supervisory police officers?
742
743 A: Correct. So in theory if we advertise for a watch commander right now the
744 eligible applicants would be the two Sergeants - (b) (6) or
745 (b) (6) .
746
747 Q: Now, I'm sorry...
748
749 A: One of them gets promoted to Lieutenant. Now we have two Sergeant
750 vacancies to fill.
751
752 Q: Okay. You said it's on his weekly report - who - who are you referring to?
753
754 A: The Admiral. I...
755
756 Q: Who puts it on the (unintelligible)?
757
758 A: The - the Captain of the base sends a weekly...
759
760 Q: Okay.
761
762 A: He calls it to (unintelligible).
763
764 Q: Okay. So the Security Director is aware that there's two RPA's hanging out
765 there?

766
767 A: We have a new Security Director and yes, he is aware and there's been no
768 movement on it whatsoever.
769
770 Q: Who submitted the RPA's?
771
772 A: I believe that was probably me. I'd have to go back through my emails, but...
773
774 Q: Would you have copies of them?
775
776 A: I have copies of everything.
777
778 Q: Yeah, can I have - here, let me jot that down.
779
780 A: I will search for the RPA's or at least I will have some email traffic showing
781 that they were submitted.
782
783 Q: Yeah. Okay.
784
785 A: Now the - I won't have copies of the actual RPA. What we do is we submit
786 the request for the RPA to region.
787
788 Q: Okay.
789
790 A: So, like, when on behalf of, say, the Security Director I will send a request to
791 (b) (6) who's the point of contact at (Sinerma) saying, you know,
792 by direction requesting RPA's for the following positions.
793
794 Q: Okay, so as far as the actual SF52...
795
796 A: That's generated, I would assume, by (Sinerma) to C&IC.
797
798 Q: Okay, so you didn't fill out that?
799
800 A: No - no - no - no.
801
802 Q: No - no. Okay.
803
804 A: And all fairness to region we understand that it's not - they don't have the
805 authority to fill that position because it has to be funded by C&IC.
806
807 Q: Right. Okay. So, right, in - in that sense the CO is even in the same boat even
808 more, like...
809
810 A: Absolutely.

811
812 Q: ...further down than the region. He - he can't just fill those positions either.
813
814 A: And we can't even get temporary promotions. They can do temporary not to
815 exceed a year. We - we've done that in the past when - after 9-11 we had two
816 watch commanders that were deployed as reservists - one Army and one Air
817 Force - they made temporary not to exceed promotions.
818
819 Q: All right. So really it's at the C&IC level...
820
821 A: Mm-hm.
822
823 Q: ...that has to be, um, you know, clear about this. Like, either they're clearly
824 gonna tell you, "It's okay to leave these shifts unsupervised and we're telling
825 you that," or, "We're gonna give you the money to hire the supervisor - one of
826 the two."
827
828 A: And under the previous CO I even did a point paper - he wanted to resubmit to
829 try and get the - the pos- (b) (6) wanted to get the positions
830 filled and I revised the MPVP to - to basical- you know, if you're gonna
831 eliminate positions you could probably peel back from the non-supervisory
832 because for five out of the seven days a week the patrol supervisor could fill
833 that patrol post because the watch commander's here - in addition to doing
834 their field supervisory duties. It went nowhere.
835
836 Q: Hm. Ok- so who issues that MPVP?
837
838 A: That comes from OPNAV. That's their instruction. I don't know who
839 generates it at the OPNAV level.
840
841 Q: So the document itself showing zero, uh, supervisors authorized that's issued
842 by OPNAV?
843
844 A: There's no header or footer on it that indicates where it originates but...
845
846 Q: Right I can't figure that out.
847
848 A: It - it's - it's the MPVP so based on appendix A of the Echo it apparently must
849 come from OPNAV.
850
851 Q: Yeah or OPNAV just sets the guidance and then, maybe C&IC actually does
852 the...
853
854 A: I - I don't know.
855

856 Q: I don't know. I'll have to find that out. Um, all right do you know if this is
857 affecting other installations? Have you heard your counterpart saying they
858 have similar problems with overtime?
859
860 A: Oh, I know it's an issue - it - enterprise wide. I mean, there's - there's
861 different - social media and just hearin' from Union people and talkin' to
862 other directives in the region.
863
864 Q: And does the overtime...
865
866 A: Staffing overall is an issue.
867
868 Q: Yeah. Does the overtime affect the patrolmen as well as the supervisors? Are
869 they also working a lot of overtime?
870
871 A: It's - it's starting to dwindle because we have been hiring.
872
873 Q: Okay.
874
875 A: So, it has gotten a little better.
876
877 Q: So those you are authorized to hire?
878
879 A: Yes, we - per our MPVP right now we still have over 20 vacancies.
880
881 Q: That you're authorized to hire?
882
883 A: Authorized.
884
885 Q: Okay. Would it be, hm, well...
886
887 A: But again the MPVP needs to be revamped, like, the - the non-god service, or
888 IS3 site supervisor position. That's included in the MPVP, NGS doesn't exist
889 anymore. The position been abolished. He's not here. There's other positions
890 in there where they were handshake deals where one armory position for us.
891 Years ago there was a handshake d- you know what, we really don't need this
892 guy. Let's get rid of him in order to get another patrolman. Well they got rid
893 of the position they just never gave us the actual patrolman.
894
895 Q: Okay, so you said you - you have the sense that it's a enterprise wise issue but
896 has there been any specific, like, is there a person's name you can give me
897 from another installation that has...
898
899 A: No, you'd have to talk to them.
900

901 Q: Um, okay.
902
903 A: Like I said, Mechanicsburg right now - our - our new Director just said in a
904 staff meeting before I came here that he interviewed for Mechanicsburg and
905 one of the questions on his review board for the job was, "How will you come
906 in and take over here with no supervisors? How will you accomplish that?"
907 And he said, "I - I - I can't."
908
909 Q: This was for the Director of Security?
910
911 A: This was for the Director position...
912
913 Q: Yeah.
914
915 A: ...at Mechanicsburg.
916
917 Q: So they don't have supervisors there at all?
918
919 A: Apparently not.
920
921 Q: So that sounds like, though that they - it was the intent of the MPVP to...
922
923 A: (Unintelligible).
924
925 Q: ...that's what they're lookin' for is no supervisor.
926
927 A: So they must have already, you know, through attrition they must of already
928 eliminated their supervisors.
929
930 Q: Right, and they're not allowed to backfill them. And their still functioning.
931
932 A: Apparently so, until something happens and then...
933
934 Q: Yeah.
935
936 A: ...who's gonna be held responsible?
937
938 Q: Okay. Right, so let me - let's just elaborate on that a little bit. Until something
939 happens. Like, what - what could be the consequences of not having a
940 supervisor on a shift? Like, what - can you put that into something for me that
941 I can understand? You know what I mean? You're so involved in it that it's
942 obvious to you, but...
943
944 A: You know, I - I - I don't - I don't think you can even quantify it because
945 according to our commanding officer anything that goes wrong on the shift

946 it's a supervisory leadership issue. And the military - who's - who's got more
947 (unintelligible) supervision than the military?
948

949 Q: But what could go wrong...

950
951 A: Re- regardless of what component...

952
953 Q: ...if the supervisors not there that couldn't go wrong if - if they are?
954

955 A: Well if the supervisors not out doing his checks and - and making sure
956 everyone's doing their job, what's to prevent the guy on post from just kicking
957 back sleeping all night?
958

959 Q: Yeah.

960
961 A: Now you have a security breach. Or any kind of safety, legal, procedural
962 infractions, if - if you don't have the oversight, I mean, you're not gonna let
963 the Indians run wild. That's management 101.
964

965 Q: Hm. Okay. I mean there - there is a supervisor in that, like you said, the
966 Security Director, but he can't work three shifts all the time.
967

968 A: And - and he can't be here 24/7. And I can't, y- you know, with the old
969 Director it was a joke, it's like, "Okay well after everyone leaves, (b) (6), I
970 guess it's just you and me. 12 hours a day, 7 days a week." No. And our
971 Captain actually proposed to, you know, he - he wants to get training done.
972 Training is the big thing. We gotta do training 'cause we're not doin' any right
973 now because we don't have the people. And to set the time aside to do it - to
974 make the people come now you're just dumping more overtime on people. So
975 there's no - and he's, "Well, we need to go to a four shift rotation." It worked
976 on a submarine. We're not a submarine and me - I'm not in the Navy. I'm a
977 civilian.
978

979 Q: Is that an - an option?
980

981 A: You're not gonna make me work seven days a week, six hour shifts. It just,
982 and you know, and - and he backed off on it. But that's the mentality. It's,
983 like, they're - they're thinkin' with a war fighter concept, you know, out on a
984 submarine, trying to apply it to a shore installation with civilians. Y- you
985 know, it - it - it's not gonna work.
986

987 Q: So the CO suggested that though instead of three shifts, four shifts?
988

989 A: Yep.
990

991 Q: Is that - would that solve it? Would that reduce the overtime?
992
993 A: Absolutely. You can't do it. Y- how are you gonna tell a civilian, "You will
994 not have a day off?"
995
996 Q: Oh, 'cause that would require working every day?
997
998 A: Every day. But in his mind, "It's well, that's gonna be great. You're gonna be
999 gettin' two hours overtime every week. You're gonna be workin' 42 hours."
1000
1001 Q: Okay, but you'd never have a day off unless you took leave.
1002
1003 A: Right. It - it makes no sense.
1004
1005 Q: But when you did work your shifts would be shorter.
1006
1007 A: Right.
1008
1009 Q: We wouldn't have this issue with exceeding the 14 hours - exceeding the 16
1010 hours. 'Cause it would be spread out over more days. I see. Hm. Mm-hm.
1011
1012 A: In the military, if I'm in the Navy or the Army, and - and I'm out at sea, th-
1013 there's no such as overtime. They own you 24/7 so that's probably
1014 advantageous to them. But in the civilian world that's just - that's not gonna
1015 happen.
1016
1017 Q: Mm-hm. Okay.
1018
1019 A: I mean if they told you - I'm sure you work a 40 hour, five and two schedule -
1020 if they said, "You know what Christine, we - we're cuttin' back. We need you
1021 to work every day now. You're not gonna have a day off. Just work six days,
1022 you know, six hours a day."
1023
1024 Q: Every day.
1025
1026 A: How's that suit you?"
1027
1028 Q: Yeah - yeah, I see what your sayin'. Okay. And so that's an option, I guess,
1029 but I - I hear - it's a not gonna work.
1030
1031 A: And that wasn't just for the supervisors. That was department wide.
1032
1033 Q: Oh, okay. This was this CO?
1034
1035 A: Yes.

1036
1037 Q: But, you know, he's thinking. Trying to think, I guess.
1038
1039 A: But right now, you know, trying to explain the logic. Okay, but right now we
1040 have three shifts and on each of those shifts there's so many posts you have to
1041 cover. So in addition to our three patrols we have a smattering of, you know,
1042 gates that we have to man. So now instead of, okay, we have ten posts, say we
1043 have to fill on each three shifts. Dividing it into four you've just created an
1044 additional ten posts that need to be filled. So if we're shorthanded you'll
1045 lookin' to save time to - to get people to train, well now you just created an
1046 additional ten post void to fill.
1047
1048 Q: Mm-hm.
1049
1050 A: You set a separate shift which means you need an additional supervisor too.
1051 You're just digging your hole deeper.
1052
1053 Q: Yeah.
1054
1055 A: So, I think that's why when the Director and I talked, and - and it was
1056 conveyed, it was like, "Yes, it's not practical."
1057
1058 Q: Yeah. This is the new Director - (b) (6) ?
1059
1060 A: The old one. The old one.
1061
1062 Q: Have you talked about it with the new one? No.
1063
1064 A: I - I gave him a - a brief - in brief, of these are some of the things we've
1065 discussed, but - but not at length.
1066
1067 Q: Okay. But, um, (b) (6) agreed that it was not practical.
1068
1069 A: Uh, and I'm goin' back as far as (b) (6) ...
1070
1071 Q: Oh.
1072
1073 A: ...when he was here.
1074
1075 Q: Okay.
1076
1077 A: Prior to September 30th.
1078
1079 Q: Okay. Okay, so, now in the new information there was two things. There was
1080 a memorandum dated March 16, 2- March 7th, sorry. March 16th. It was this

1081 memo right here from you and your colleagues and then also was these - these
1082 emails between yourself and (b) (6) and it kind of internal to the
1083 security supervisors here.

1084
1085 A: Okay.

1086
1087 Q: Okay, so by reading through this I - I noticed a few topics that I wanted to ask
1088 you about for more clarification.

1089
1090 A: Okay.

1091
1092 Q: You recall this right?

1093
1094 A: Mm-hm.

1095
1096 Q: Writing this?

1097
1098 A: He wrote some on compliance, it's just - okay.

1099
1100 Q: Okay. So, um, in here I want - the first thing I want to ask you about is there's
1101 this comment here where it says when (b) (6) was here, which I
1102 believe was in March...

1103
1104 A: Mm-hm.

1105
1106 Q: ...he came down here to talk to y'all. He blatantly said he was not gonna
1107 implement SECNAV 55.12/1 which is this base access control form. Which I
1108 have a copy of. Um, although it is required by C&IC instruction 55.30.14.

1109
1110 A: Right.

1111
1112 Q: Okay, so I got the form...

1113
1114 A: It's a very long access control form.

1115
1116 Q: Yeah.

1117
1118 A: It - it's just another example of the picking and choosing of what we're going
1119 to do...

1120
1121 Q: Well...

1122
1123 A: and what we're not going to do.

1124
1125 Q: ...let me - let me ask you my question. Because I Googled this form and I

1126 could not find it in any instructions. And I looked through the C&IC 55.30.14
1127 and it does not reference this form at all.
1128
1129 A: No this came out as a - as a message from, I believe it was SECNAV. I forget
1130 the date when we received it.
1131
1132 Q: And they said you must use this...
1133
1134 A: That's the new form...
1135
1136 Q: ...in the message?
1137
1138 A: ...that has to be used.
1139
1140 Q: Can you get me the message where it says that?
1141
1142 A: I - I will try and find it and the other thing on top of this, though, we also just,
1143 uh, a couple months ago C&IC put out a change one to the C&IC 55.30.14
1144 Alpha.
1145
1146 Q: Okay, yeah, yep. Is that...
1147
1148 A: So that change one...
1149
1150 Q: Oh, 8 March 2016.
1151
1152 A: Yes.
1153
1154 Q: Okay, I don't have a copy of that.
1155
1156 A: I can - I can send you a copy of that as well.
1157
1158 Q: Let's write that down. Basically what I'm lookin' for is where does it say that
1159 installations throughout C&IC are required to use this form?
1160
1161 A: Okay. It - it may be in this new one but if not I will find the information where
1162 this came out because when this was first, uh, produced...
1163
1164 Q: I'm just gonna...
1165
1166 A: ...under the former CO...
1167
1168 Q: Um...
1169
1170 A: ...everyone agreed - I - I'm not disagreeing with (b) (6)'s feelings

1171 on the form. Because this is basically saying that everyone that coming to visit
1172 the base, fill this out, which would be an administrative nightmare for the
1173 access control people. Right now, someone coming to this base they provide
1174 the identity documents for proofing and vetting and they do a spreadsheet,
1175 send it to region and people get vetted.
1176

1177 Q: So you kind of agree that they shouldn't do it, right?

1178
1179 A: I - I agree it's ridiculous, but if we have to do it, we have to do it.
1180

1181 Q: Yeah.
1182

1183 A: Right.
1184

1185 Q: Well, that's what I'm - my role is if we're required to do it, we're supposed to
1186 do it. And that's what I would want to find out if we're really required to do it
1187 'cause I couldn't find where it says that we are in - in what I looked at but...
1188

1189 A: Did you read through every instruction and change? There's so much conflict
1190 it - it's ridiculous. You know, after - following the - the USS Mahan shooting
1191 anyone who's a transportation worker ID holder - TWIC card holder. The
1192 Navy says that card is no longer good for access. They need to be vetted like
1193 anyone else even though they have the card.
1194

1195 Q: Mm-hm.
1196

1197 A: The new access control instruction from C&IC just came out, doesn't say it.
1198 So which is it now? You know, it - it's that kinda issue that we run into daily
1199 where, "Okay we need you to do this."
1200

1201 Q: Which instruction was it that said it was required?
1202

1203 A: This - this came out a directive from, uh, I don't know whether it was Fleet
1204 Forces, I - I can't remember. But when the message came out it was
1205 immediately TWIC cards will no longer be accepted for general access to
1206 installations. It was following the Mahan shooting.
1207

1208 Q: What kind of cards? I'm sorry.
1209

1210 A: It's a called a transportation worker ID card. A TWIC. 'Cause in the past, like,
1211 we have a - a railroad that runs through the base - the railroad workers they
1212 had these cards. If you go to a lot of your, um - I just got back from vacation -
1213 these cab drivers that transport people to and from the ports...
1214

1215 Q: Mm-hm.

1216
1217 A: ...they get a TWIC card so Homeland Security's screening them coming
1218 through. That card says, "All right, I've already been screened. I'm good to
1219 go." If Homeland Security's already done this background check, I'm - I'm
1220 good to go.
1221
1222 Q: Yeah, I just added that. I'd like to see...
1223
1224 A: Okay.
1225
1226 Q: ...where that came from and - and you're saying C&IC just was silent on it.
1227 They haven't said to do it or not do it. Is that...
1228
1229 A: No, they - they - when this originally came out and was filtered down that this
1230 is gonna be the new policy - well they just put out the change instruction to
1231 the access control portion of the - the 14 Alpha. Now it says it - it contradicts
1232 what it says - it says it is a valid access (unintelligible).
1233
1234 Q: Oh, it says the TWIC card is a valid.
1235
1236 A: Yeah, so it's like where - well...
1237
1238 Q: C&IC instruction says that?
1239
1240 A: Correct.
1241
1242 Q: And that was put...
1243
1244 A: And we discussed it...
1245
1246 Q: ...out after this directive?
1247
1248 A: Right.
1249
1250 Q: It's a valid form...
1251
1252 A: There's a host of other, I mean, when (b) (6) was here we - we
1253 bandied back and forth and, you know, these instructions come out and they
1254 don't take into consideration, you know, you're not supposed to have a
1255 firearm unless you're an authorized person on - in any federal facility or
1256 building. Well, authorized would be, you know, us as LE, a federal agent here
1257 on official business, such as that. We have armored car workers come through
1258 here every day. They're civilians. What's - there - there's so many gray areas
1259 that aren't addressed.
1260

1261 Q: Yeah, okay.

1262

1263 A:

(b) (5)
(b) (5)
(b) (5)
(b) (5)
(b) (5)
(b) (5)

1269

1270 Q:

Yeah. (b) (5)

1271

1272 A:

(b) (5)

1273

1274 Q:

Oh. (b) (5)

1275

1276 A

(b) (5)
(b) (5)
(b) (5)
(b) (5)

1277

1278

1279

1280

1281 Q:

Yeah.

1282

1283 A:

(b) (5)
(b) (5)

1284

1285

1286 Q:

Mm-hm. Mm-hm.

1287

1288 A:

(b) (5)
(b) (5)
(b) (5)
(b) (5)
(b) (5)
(b) (5)
(b) (5)

1289

1290

1291

1292

1293

1294

1295

1296 Q:

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

1297

1298

1299 A:

Mm-hm.

1300

1301 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...

1302

1303

1304

1305

1306 A: Okay.
1307
1308 Q: ...I just want to know if you know whether that's ever been implemented here
1309 or anywhere else, like, do you know if...
1310
1311 A: It hasn't.
1312
1313 Q: Not here.
1314
1315 A: Not here and from what I've gleaned from social media there's one - at the
1316 Washington Navy Yard they are doing it but it is not a pass/fail standard. It's
1317 just as long as you complete it, it doesn't matter whether you pass or fail. And
1318 there's been no discipline.
1319
1320 Q: Okay, then what's the point?
1321
1322 A: I...
1323
1324 Q: It just takes up time. You have to complete the test...
1325
1326 A: I have my own personal...
1327
1328 Q: ...but if you fail it - it doesn't affect anything. That doesn't make sense.
1329
1330 A: I have my own personal issues with the - the whole process.
1331
1332 Q: Um, is it in your PD?
1333
1334 A: No, it was never a condition of employment. When - and I'm only speaking
1335 for the - the supervisors, not - the Union has their own issues with it, but as far
1336 as the supervisors go, it was never a condition of our employment.
1337
1338 Q: Okay, but if it is something that they're supposed to be implementing and
1339 they're not, um...
1340
1341 A: It hasn't been implemented since...
1342
1343 Q: It should - it should be done, like, in a systematic way for...
1344
1345 A: When the instruction came out...
1346
1347 Q: ...fairly to everyone.
1348
1349 A: ...the first version, the 14 when it first referenced this, I - I want to say 2011 or
1350 2012, never came to light. And every - every civilian police officer that's been

1351 hired since, where it has been a condition of employment, no one has ever
1352 been held to the standard and ever taken an annual agility test. So they take
1353 one as their pre-employment, but after that no one has ever taken a test after
1354 that.

1355
1356 Q: And that's since 2012 the new hires have started doing that?

1357
1358 A: '11 or '12 - actually it predated that I think because the Union has an
1359 agreement with the former Security Director here (b) (6) - that should be
1360 a name from the past...

1361
1362 Q: Mm-hm.

1363
1364 A: ...that - I don't remember the date, whether it was 2006 or '09 - when we were
1365 hiring people and sending them down to the, um, police academy in region.

1366
1367 Q: Mm-hm.

1368
1369 A: They had it then. The pre-employment agility and they were talking about, uh,
1370 annual agility. And they signed an agreement stating that anyone prior to, say,
1371 2009 or '06 when that agreement was signed they would not be held any O83
1372 to take an annual agility test. They were encouraged. Anyone hired after that
1373 would be held to that standard and would be taking an annual agility test. It
1374 was never implemented. They never did it under (b) (6), under
1375 (b) (6). And the previous CO's here, whether it was the agility or
1376 uniforms or anything, they all agreed we're not gonna make the supervisors
1377 do one thing and the bargaining unit do something - when everyone's on the
1378 same page we'll all get on the same page.

1379
1380 Q: Right. You would think that they would have vetted this through the Unions
1381 and everything first and then put it in the instruction so that then you would
1382 hold people accountable to it once you get it going, you know?

1383
1384 A: Back in - the last instruction that the Unions - and - and I'm goin' from my
1385 own personal experience - was provided a copy of. What they used to do is
1386 they would send out a draft of the instruction. The 14 Delta was the case
1387 where they sent out a draft of the instruction and at the time I was a Sergeant
1388 so the Union got a copy...

1389
1390 Q: Mm-hm.

1391
1392 A: ...management got a copy and my predecessor told me, "Go through it." And
1393 C&IC, or whoever at the time provided a spreadsheet you had to fill out, read
1394 this page, this line, this is an issue.

1395

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 (b) (6) 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...

1441
1442 Q: So who are you referring to?
1443
1444 A: I - I can tell you who, for a fact that I was in the room with the Director when
1445 he'd - we had filed the supervisors a, pretty much, like, an ADR or - or a
1446 preemptive grievance saying it's ridiculous. The sheriff hats...
1447
1448 Q: Yeah, but who - who said that?
1449
1450 A: The Commander - (b) (6), who was the prior XO here, (b) (6)
1451 (b) (6) agreed with (b) (6). I mean, I sat in a meeting where
1452 (b) (6) and (b) (6) and - and they were talking about...
1453
1454 Q: Okay so you're the previous management said that?
1455
1456 A: Correct.
1457
1458 Q: The previous CO, XO, Security Director.
1459
1460 A: And this current CO even made the comment in a (unintelligible) meeting that
1461 he could care less about if the 14 ever got implemented here. He could care
1462 less.
1463
1464 Q: What's the 14?
1465
1466 A: The C&IC instruction.
1467
1468 Q: Oh.
1469
1470 A: 'Cause we've been through the 14, and now the 14 Alpha.
1471
1472 Q: Well...
1473
1474 A: And that's in a conversation where, you know, it basically they need to be
1475 more worried about more important issues than patches, badges and agility
1476 tests. And the fact that the supervisors, when (b) (6) walks out the
1477 door here after coming up in reference to our complaint saying they need to be
1478 in the new uniform and they need to stop doing agility tests on the heels of our
1479 complaint? After all these years and him knowing what uniforms we wear and
1480 that we haven't been doing 'em. That's outright reprisal. That's a threat. I'm
1481 sorry, it is.
1482
1483 Q: Right, and you're gonna have to deal with that...
1484
1485 A: Right.

1486
1487 Q: ...with the other, um, agency that's gonna handle that. So, um, uh, oh, right.
1488 So I think I know the answer to this but I'm gonna ask you anyway. Um,
1489 have, I know this - this comments were made during the time that (b) (6)
1490 (b) (6) was here - that's what you alleged that he said something about
1491 requirement this PAT and the unit or uniform changes, but, um, have actually
1492 received since that time any kind of more formal notice that...
1493
1494 A: Nope...
1495
1496 Q: ...this is happening?
1497
1498 A: ...absolutely not.
1499
1500 Q: No - no. So it was just a comment made verbally at a meeting. Um, any kind
1501 of email traffic after that indicating...
1502
1503 A: Nope.
1504
1505 Q: ...that it's moving forward?
1506
1507 A: He made that comment in the office to (b) (6) along with the
1508 Commanding Officer. And (b) (6) as the acting Director at that time
1509 informed us.
1510
1511 Q: Okay. So you didn't actually...
1512
1513 A: And he wasn't...
1514
1515 Q: ...even hear it first hand?
1516
1517 A: No - no. In fact, we met with (b) (6) and the Commanding
1518 Officer...
1519
1520 Q: We being?
1521
1522 A: ...just prior - the supervisors.
1523
1524 Q: You and your four colleagues that are in this (unintelligible).
1525
1526 A: Correct. I - I don't believe, uh, (b) (6) was on vacation. But he
1527 met with us and none of that was discussed. This was immediately following
1528 that meeting.
1529
1530 Q: So the CO met with, um, you.

1531
1532 A: The Captain and (b) (6) met with the supervisors with the
1533 exception of, um, (b) (6) who was on vacation.
1534
1535 Q: Okay, so it was yourself, and, um, (b) (6) and (b) (6) - oh was on
1536 vacation.
1537
1538 A: Right. I know (b) (6), (b) (6) ...
1539
1540 Q: And (b) (6) - (b) (6) .
1541
1542 A: (b) (6) was there. I'm tryin' - I'm tryin' to remember...
1543
1544 Q: And (b) (6) .
1545
1546 A: ...if (b) (6) was there. (b) (6) 'cause he works the midnight shift so I'm not
1547 positive.
1548
1549 Q: Okay, so it was at least you, (b) (6) and (b) (6) ?
1550
1551 A: Yes.
1552
1553 Q: And the CO and (b) (6) .
1554
1555 A: And (b) (6) .
1556
1557 Q: And (b) (6) . And nothing was said about this PAT test?
1558
1559 A: (b) (6) came in late. No. Nothing. This was all told to (b) (6)
1560 (b) (6) in private after our meeting.
1561
1562 Q: Or the uni- or the uniforms?
1563
1564 A: Correct.
1565
1566 Q: Those two issues kinda go together, right?
1567
1568 A: Pretty much.
1569
1570 Q: The PAT and the uniforms?
1571
1572 A: The only thing that was said to us was - the Captain did all the talking
1573 basically in the meeting - was that (b) (6) was up here in reference
1574 to our complaint. As far as the supervisors go, we're all in agreement, the
1575 Admiral's on board with us, we need to fill those supervisors. Admiral

1576 (Williamson) himself was up here in a meeting with (b) (6), myself,
1577 (b) (6), the Captain, XO, CMC, his staff, and said point blank, "Who
1578 - whoever the idiot was that ever thought we couldn't use supervisors, that's
1579 crazy. Of course we need supervisors."

1580
1581 Q: Who said that?

1582
1583 A: Admiral (Williamson) - who was the prior Commander of Navy Region Mid-
1584 Atlantic.

1585
1586 Q: Right - right.

1587
1588 A: He said, "We're gonna fix that."

1589
1590 Q: When was that? Do you remember?

1591
1592 A: This was - I'd have to look at the - you'd have to look at the dates of when we
1593 filed our complaint. I'm pretty sure it was right around the time we had filed
1594 with C&IC and Fleet Forces after hearing nothing from (Sinerma) .

1595
1596 Q: So...

1597
1598 A: He came up here...

1599
1600 Q: ...approximately...

1601
1602 A: He came up here for a site visit. I - I - I don't know the exact date.

1603
1604 Q: But it was during the time that he worked as the...

1605
1606 A: Yes.

1607
1608 Q: ...Mid-Atlantic Region...

1609
1610 A: Yes.

1611
1612 Q: ...Regional Commander.

1613
1614 A: It had to be prior to September 30th because (b) (6) was still here.

1615
1616 Q: Before September th- 2015?

1617
1618 A: Fifteen.

1619
1620 Q: And it was during 2015?

1621
1622 A: Yes.
1623
1624 Q: It was...
1625
1626 A: Yes, we're only talking a matter of months ago.
1627
1628 Q: So definitely less than a year ago?
1629
1630 A: Correct.
1631
1632 Q: Okay. And so he agreed that you, that MPV...
1633
1634 A: Oh...
1635
1636 Q: ...was in his opinion...
1637
1638 A: Blatant.
1639
1640 Q: ...not...
1641
1642 A: Well, he didn't mention MPVP specifically, he just, it's idiotic. Of course...
1643
1644 Q: To think that we don't need to...
1645
1646 A: Of course we need supervisors and we are going to fix that.
1647
1648 Q: Hm.
1649
1650 A: You know, we're being promised that we're, you know, to - to summarize the
1651 CO the ad- we're all being promised we're gonna fix this. We're gonna push
1652 this, we're gonna poke CNIC in the eye with this. They've been doing it and
1653 nothing's happened. They haven't recruited. They haven't temporarily filled
1654 positions. And they're not going to, we all know that. This is all a dog and
1655 pony show. The admiral, when he was up here, he had ample opportunity to
1656 meet with us based on our complaint that he had already had, he chose not to.
1657
1658 Q: Which admiral?
1659
1660 A: (Williamson).
1661
1662 Q: Yeah.
1663
1664 A: And CNIC was here for a site visit. And he allegedly made some comments.
1665

1666 Q: Do you remember who that was?
1667
1668 A: Um, it was just a couple months ago. (Smith), Admiral (Smith).
1669
1670 Q: Oh, oh, the admiral?
1671
1672 A: He was here.
1673
1674 Q: I thought you meant someone from N-3, yeah.
1675
1676 A: He was here and, again, you'd have to talk to (b) (6) about the
1677 comments he made in the emergency operations center. But...
1678
1679 Q: He, Admiral (Smith) came sometime in 2016, like very recently?
1680
1681 A: Very recently.
1682
1683 Q: So it was in 2016?
1684
1685 A: I believe so, yes. And he chose not to meet with us, discuss anything, but he
1686 referenced the complaint to other people.
1687
1688 Q: That you heard about?
1689
1690 A: Mm-hm.
1691
1692 Q: Okay. Hm, all right. Okay, another thing that was mentioned in here in this
1693 email that you wrote to (b) (6), it says, "(b) (6) is now the
1694 ASF coordinator despite that he's not an E-7."
1695
1696 A: Correct.
1697
1698 Q: Um...
1699
1700 A: And he still is.
1701
1702 Q: And he still is, okay, that was my question. And you mean (b) (6) ?
1703
1704 A: Mm-hm.
1705
1706 Q: And, um, is that a designation letter in writing?
1707
1708 A: I have no idea, that's not mandated in the instruction. It just says in the CNIC
1709 instruction that it will be an E-7 or above. It doesn't even say it has to be a
1710 member of the security department.
1711

1711
1712 Q: Right. Um...
1713
1714 A: Traditionally it never has been here.
1715
1716 Q: But do you know if that person's appointed in writing? Like is there a letter I
1717 can get a copy of that says he's that?
1718
1719 A: I don't believe - I don't believe there's a letter.
1720
1721 Q: Okay.
1722
1723 A: Again, that would be a question for the - the CO or the security director.
1724
1725 Q: Okay. And if he was appointed, who would have appointed him?
1726
1727 A: That's a good point. Usually it's a joint discussion between the CO and the
1728 security director.
1729
1730 Q: Okay. Do you know why they didn't appoint an E-7?
1731
1732 A: We don't have any. The only E-7 is...
1733
1734 Q: I figured.
1735
1736 A: ... (b) (6) who's the, he fills the billet of direct- ah, deputy director.
1737 Prior to that he was the acting director from March to...
1738
1739 Q: So it's not like there was another readily available E-7 and they intentionally
1740 didn't pick him and picked this E-6?
1741
1742 A: Correct. And the former, prior to (b) (6), there was a lieutenant who
1743 was working light duty, she filled in very briefly. Prior to that it was the AOC
1744 who was assigned to the armory. Prior to that it was (b) (6), prior to
1745 that it was a GM-1, it - it traditionally here it's always been a first class.
1746
1747 Q: Mm-hm, okay. He's a - a GM-1, this (b) (6) ?
1748
1749 A: Mm-hm.
1750
1751 Q: Um, I mean, so I guess if in that case, if you don't have an E-7 the choice is
1752 either don't have one at all, which puts you in violation, or appoint somebody
1753 who's the next grade. Either way you're in...
1754
1755 A: I made my sugge- I...

1756
1757 Q: But it's a manning issue again.
1758
1759 A: Right, and it doesn't have to be someone in security.
1760
1761 Q: On the military side. Oh, it doesn't have to be?
1762
1763 A: So I don't know how many other E-7 and aboves there are on the base.
1764
1765 Q: Okay. Okay.
1766
1767 A: I mean, traditionally it's just been logical to have it run through security
1768 since...
1769
1770 Q: Right, that's like...
1771
1772 A: ...you're coordinating with security over the scheduling of the ASF.
1773
1774 Q: And it's like the subject matter (unintelligible) there. I guess, so my question
1775 is did you mean for that to be something that you're claiming as a allegation...
1776
1777 A: Again, it's another...
1778
1779 Q: ...a violation of something?
1780
1781 A: It's another one of those you're picking and choose what you're gonna follow.
1782
1783 Q: Okay.
1784
1785 A: See, this current climate with this command triad is, and - and Captain
1786 (Border) is - is very emphatic in the meetings I have had, show me. I wanna
1787 see it. I wanna see the regulation. Show me where it says this.
1788
1789 Q: Yeah, that's...
1790
1791 A: And I'll show you.
1792
1793 Q: ...kind of how I am.
1794
1795 A: And I'll show him, here you go. Right here.
1796
1797 Q: Mm-hm, mm-hm.
1798
1799 A: If it doesn't suit his need, I don't care. Well, you know what, I'm not working
1800 like that.

1801
1802 Q: Mm-hm, okay. Um, now another item you meant- is - mentioned is about the,
1803 (b) (5)
1804 (b) (5)
1805
1806 A: Again...
1807
1808 Q: ... (b) (5) .
1809
1810 A: (b) (5)
1811 (b) (5)
1812
1813 Q: Why - why?
1814
1815 A: (b) (5)
1816
1817 Q: (b) (6), (b) (5)
1818
1819 A: (b) (5)
1820 (b) (5)
1821 (b) (5)
1822 (b) (5)
1823 (b) (5)
1824 (b) (5)
1825 (b) (5)
1826
1827 Q: Mm-hm.
1828
1829 A: (b) (5)
1830
1831 Q: It - it takes away the clout of an instruction if nobody's following it...
1832
1833 A: Right.
1834
1835 Q: ...and they put things in there that they can't follow anyway, right? Is that your
1836 point? Like it - it takes away the good order and discipline intended by writing
1837 these instructions...
1838
1839 A: Right.
1840
1841 Q: ...is that you're supposed to follow them.
1842
1843 A: And - and again, I...
1844
1845 Q: (b) (5)

1846
1847 A: (b) (5)
1848
1849 Q: Yeah, okay. (b) (5) To - to...
1850
1851 A: I...
1852
1853 Q: ... (b) (5)
1854
1855 A: (b) (5)
1856 (b) (5)
1857 (b) (5) Now in all fairness,
1858 would I be exposed to those waivers? Would I actually see those or would that
1859 be something just for the security director and the CO?
1860
1861 Q: You may not know.
1862
1863 A: Probably, I may not...
1864
1865 Q: Okay.
1866
1867 A: ...see those.
1868
1869 Q: Okay. Okay, um, now has anyone, have you brought it to the CO's attention
1870 that this is a requirement, that those barriers are supposed to be in the up
1871 position and they're not? I mean...
1872
1873 A: You - you know what, I can't say specifically that exact situation I've spoken
1874 with directly with the CO, I don't know. But a lot of these...
1875
1876 Q: Or brought it through your chain of command?
1877
1878 A: A lot of these different issues with different COs and in our sync meetings the
1879 actual, the some of the more ridiculous items that are in the instruction, yes,
1880 we - we've openly discussed how ridiculous it is.
1881
1882 Q: It's a ridiculous thing, so what would you really like to see? That they change
1883 the instruction?
1884
1885 A: Well again, I don't write the instructions so I - I don't know...
1886
1887 Q: You just know we're not...
1888
1889 A: I mean...
1890

1891 Q: ...in compliance with...
1892
1893 A: ...I get the - I get - I can see the logic on both sides, I'll put it like that.
1894
1895 Q: Mm-hm.
1896
1897 A: Now if we were a - a busy base where, you know, I - I - I've never been to
1898 Norfolk's base but if they have a gate that's closed but it is one of the usual
1899 gates and because of their assets down there they think it's more logical to
1900 have (b) (5)
1901 (b) (5) I get it. You can't have the cookie cutter approach to
1902 installations with all different ROC levels. And that, and every CO here that
1903 I've been in meetings with, the directors that have been here, they all say the
1904 same thing.
1905
1906 Q: So maybe...
1907
1908 A: Fleet Forces dictates the standards but there's no deviation. So if you're a
1909 (b) (5) . It's not
1910 practical. If we're not all manned and staffed and equipped to the same
1911 standard, how can you accept the same from every one of them.
1912
1913 Q: So maybe it's a matter of revising the instruction to allow for some leeway
1914 instead of saying you must always do this, they should say as appropriate or as
1915 deemed necessary or...
1916
1917 A: And I think these are way - these are things way above your head, my head.
1918
1919 Q: Yeah, yeah.
1920
1921 A: This is where big Navy needs to talk and say okay, if this is what we expect at
1922 a base where we have subs and nukes and weapons and everything but now
1923 we've got a little college campus residential community here, should we really
1924 expect them to be on the same page as these guys...
1925
1926 Q: Yeah.
1927
1928 A: ...when we're not giving them everything that they need to do the job?
1929
1930 Q: Now a ROC level, that's like what you're talking about distinguishes between
1931 the - the...
1932
1933 A: The, to sum it up, the importance of your installation. How critical it is.
1934
1935 Q: How, yeah. Operationally or whatever, okay.

1936
1937 A: Or as - as Admiral (Williamson) would say, “We have nothing grey or black
1938 here.” We have no big ships, we have no subs, but they don’t look at human
1939 capital as an asset. We don’t have ships and subs...
1940
1941 Q: Yeah.
1942
1943 A: ...but I guarantee if we had a major incident like an active shooter at the Naval
1944 War College say during graduation with all those international students, that’s
1945 gonna make some headlines.
1946
1947 Q: Yeah, yeah, mm-hm. Yeah, okay. All right, um, now you also mentioned the
1948 training. You said that, um, in here the way you worded it, you said, “Don’t
1949 even get me started on the new minimum law enforcement training standards.
1950 Um, the command and CNRMA and CNI can’t get their act together to be in
1951 compliance with DOD 5525.15.” So that implies that we’re not in compliance
1952 with this DOD...
1953
1954 A: We’re not.
1955
1956 Q: ...instruction.
1957
1958 A: We’re not and CNIC, in fact, they just put out, again, this is a perfect example.
1959 The CNIC 553014 or 14 Alpha. The 14 came out originally and I had a cover
1960 page saying these are the changes that are gonna come out in the next version.
1961 Well, those changes, most of them didn’t come out. Then they came out with
1962 the 14 Alpha. Since the Alpha has come out, they’ve come out with a Change
1963 1 which recently came out. They’ve come out with the training, the (Tra Man)
1964 they call it, the f- CNIC 3502.2.
1965
1966 Q: Okay.
1967
1968 A: And that instruction deleted several chapters from the 14 Alpha which is
1969 something else I’ve never heard of before. Usually a change transmittal comes
1970 out to an instruction and delete these chapters.
1971
1972 Q: Mm-hm, mm-hm.
1973
1974 A: This didn’t.
1975
1976 Q: Mm-hm, okay.
1977
1978 A: Again. But like I said, if you read the (Tra Man) and you read the DOD
1979 instructions it calls for minimum initial training standards for civilian and
1980 military. So the (Tra Man) specifically br- they have set the bar at the FLETC

1981 Uniform Police Training Program for civilians. Plus they have to come back
1982 and do the additional CNIC training.
1983
1984 Q: Mm-hm.
1985
1986 A: Not even going into the topics, the hours alone, 585 and a half then they say
1987 military will go to A School, 260.
1988
1989 Q: Okay, so you're describing to me the dis- that there's a disparity between the
1990 requirements for military requirements, civilian...
1991
1992 A: Right.
1993
1994 Q: But what I'm asking is...
1995
1996 A: But the instruction calls for minimum. They all have to be trained to the same
1997 minimum standard. Identical.
1998
1999 Q: Okay.
2000
2001 A: So if the instruction says your military and civilian get the same thing but
2002 they're not getting the same thing and the instruction...
2003
2004 Q: So who's not getting what they're supposed to get?
2005
2006 A: The military.
2007
2008 Q: The military side?
2009
2010 A: Correct.
2011
2012 Q: Okay.
2013
2014 A: And in (b) (6)'s report, he even acknowledges that master at arms are
2015 inadequately trained in law enforcement, there - there's no question. And the
2016 recommendation was well, you know what, send them to FLETC or an
2017 equivalent. It's not gonna happen. Our new director worked at Fleet Forces
2018 and he said he visited FLETC and there was an exploratory program looking
2019 at that possibility of sending them there. As a layman on the outside, I know
2020 they're not gonna send military to FLETC because if I joined the milita- if I
2021 can't get hired by a police department, I'm gonna join the Navy. Go in as an
2022 MA, you're gonna send me to FLETC. I'm gonna get out in four years and
2023 I'm gonna go get on ICE, federal protective service or whoe- who knows
2024 what, NCIS. Financially, it's not feasible.
2025

2026 Q: So the civilians, you're saying, are in compliance with the training
2027 requirements?
2028

2029 A: Yes, they've set the bar. They basically set the bar higher for the civilians than
2030 the military. They're - they're setting the military up to fail but irregardless,
2031 from my standpoint and the supervisor, now you're telling us you will put
2032 those guys out there. It's your responsibility to train these military and bring
2033 them up to speed and get them patrol qualified. That is not our job, that's not
2034 our responsibility and I don't want that liability.
2035

2036 Q: Mm-hm. Okay, so they work as patrolmen in the same jobs as the civilians?
2037

2038 A: In the past...
2039

2040 Q: The Mas?
2041

2042 A: ...prior to the CNIC instruction, prior to the DOD, when I first started here
2043 regardless of what the hiring, when I started you had to either have a police
2044 academy or college degree or mil- prior military. It - it changes, but everyone
2045 was on the same page.
2046

2047 Q: Mm-hm.
2048

2049 A: Everyone came here, they went through what the 5580.1 series instruction
2050 called for, Phase I...
2051

2052 Q: Right.
2053

2054 A: ...Phase II training. Everyone was on the same page. So you got hired as a
2055 police officer, then you went through your FTO, military came here. After
2056 9/11 we had so many military. So we had separate, gate, patrol. If you really
2057 excelled then the military went into patrol. The - the guys that were really
2058 sharp, they got trained...
2059

2060 Q: Mm-hm.
2061

2062 A: ...they took a board, they went on patrol. Well now, it's different. When they
2063 started sending civilians to the academy, the union griped and said, oh wait a
2064 minute, we're not taking oral boards anymore. We already do all that down at
2065 the academy. And it was agreed upon. So the civilians went to the regional
2066 academy and now FLETC, they come back, they do their FTO, they - they're
2067 released to patrol if they pass.
2068

2069 Q: Okay, what I'm trying to get at here is what's wrong? What, you, what is it
2070 that you feel needs to be addressed? That military are not in compliance

2071 with...

2072

2073 A: Military are not held to the same standards.

2074

2075 Q: ...the basic minimum standards that are set forward in the DOD instruction?

2076

2077 A: And CNIC's own very instruction.

2078

2079 Q: Okay.

2080

2081 A: And they won't explain the disparity.

2082

2083 Q: DOD and CNIC set minimum standards for training, is that what you're

2084 saying?

2085

2086 A: And for this CO I had to put together a research paper highlighting 'cause it

2087 could have went on for pages...

2088

2089 Q: And the, okay, so let me try to get to the heart of this. Ah, and the military do

2090 not meet these minimum standards, right? Is that what you're saying?

2091

2092 A: They don't, but the CNIC...

2093

2094 Q: And yet they...

2095

2096 A: ...instruction is basically saying, ah, you - you have to read the - the 3502.2. It

2097 says they will, before they're allowed to perform any law enforcement duties

2098 they will meet the same minimum training.

2099

2100 Q: Right, and what you're telling me is that...

2101

2102 A: But they don't.

2103

2104 Q: ...they are put on patrol prior to meeting those minimum standards?

2105

2106 A: No, no, not right now because I, under the former director, (b) (6), we've said,

2107 when this all came out now it stops because I said, "I am not gonna put

2108 someone on patrol in violation of the instruction. It says prior to performing

2109 any LE functions they have to meet the minimum training."

2110

2111 Q: Okay, so you're not putting them out on patrol?

2112

2113 A: But they don't meet the minimum training. The only one - the only two

2114 military patrol officers we have on duty right now are the ones that were

2115 certified prior to this instruction.

2116
2117 Q: Okay.
2118
2119 A: But the CO does not...
2120
2121 Q: So what do you do with them?
2122
2123 A: ...like that.
2124
2125 Q: So what do you do with them?
2126
2127 A: They - they stand gates. And I've given the CO the opportun- well, they could
2128 fill that...
2129
2130 Q: Okay, they stand gates.
2131
2132 A: ...commercial vehicle inspection.
2133
2134 Q: But they don't go on patrol?
2135
2136 A: No.
2137
2138 Q: So basically you're underutilizing, you have these resources that you can't use
2139 because they're not trained?
2140
2141 A: We're utilizing them in a different fashion to plug other holes. So it's not like
2142 they're sitting around doing nothing.
2143
2144 Q: Okay. And is there any way to get them to meet the training standards?
2145 You're saying the only way is to send them to FLETC?
2146
2147 A: Well, the CO's expectation is that's our responsibility, the supervisor's. You
2148 get - you bring them up to speed and get them out there. And I had an
2149 argument with a lieutenant commander from CNIC.
2150
2151 Q: Do you have the funding to send them to the training?
2152
2153 A: It - it's not a question of fun- even if they made the funding, the Navy's
2154 decided they're not sending military personnel to FLETC.
2155
2156 Q: Have you tried, have you sent an application for a military?
2157
2158 A: That's not done through us. That's all done through all the - the processing for
2159 people to go to FLETC is done through CNRMA, but it's different pots of
2160 money for military and civilian.

2161
2162 Q: But you're saying the CO expects you to do it, to get them...
2163
2164 A: Bring them up to speed.
2165
2166 Q: Right.
2167
2168 A: And...
2169
2170 Q: Oh, you mean here to train them here.
2171
2172 A: Train them here.
2173
2174 Q: Without sending them to...
2175
2176 A: Whatever they don't get in A School, oh, that's your job to bring them up to
2177 speed. No, it's not.
2178
2179 Q: Okay.
2180
2181 A: And I mean, logically...
2182
2183 Q: You, could you ch- you...
2184
2185 A: That's - that's like saying okay, you're - you're going to school to be a
2186 lawyer. You're gonna go get your juris doctor at Yale. Now this guy, we're
2187 not sending him, you train him to be a lawyer. That's ridiculous. FLETC is an
2188 accredited, nationally accredited...
2189
2190 Q: So your recommendation is that they should go to FLETC?
2191
2192 A: Absolutely. If you're gonna hold, if you're gonna write an instruction that
2193 says everyone's gonna be held to the same and they have to be trained to the
2194 same then you send everyone to the same.
2195
2196 Q: Just like the civilians do go to FLETC?
2197
2198 A: Correct.
2199
2200 Q: Why can't you send them? Why can't you fill out a registration form and send
2201 them?
2202
2203 A: We - we don't have that ability. Just like I can't say here, I'm sending this
2204 new patrolman to FLETC.
2205

2206 Q: Well...

2207

2208 A: We don't control those funding and...

2209

2210 Q: You don't have, could you request? Could you ask someone else to do it?

2211

2212 A: A- apparently the XO here has raised that very question. But like I said, my...

2213

2214 Q: I guess that's what I'm saying, even if you say okay, you're saying you can't

2215 fill out the registration form yourself, is there someone you can call at...

2216

2217 A: Our new...

2218

2219 Q: ...CNRMA and say hey, I wanna send this MA to FLETC school, can you

2220 help me?

2221

2222 A: It's more convoluted than that. Like - like I said, our new security director was

2223 a, ah, a command master chief assigned to Fleet Forces.

2224

2225 Q: Like they have in TWMS, the SF 182 and can't they go in there and just

2226 submit a request to go to FLETC School?

2227

2228 A: I don't think the SF 82 applies to military people. I think they have to do cert.

2229

2230 Q: Oh, it's different?

2231

2232 A: It's a different pot of money and process.

2233

2234 Q: Okay.

2235

2236 A: You know, a perfect example, we wanted to send, um, three civilians two a

2237 field training officer program out in town.

2238

2239 Q: Okay.

2240

2241 A: Because it's, for that position of a field training officer, it's recommended

2242 they go through a local FTO academy. Region came back, we're not paying

2243 \$575 a piece for that. We're not do- we don't have the money. But yet we can

2244 send an MA-1 TAD down to say Washington or Virginia to do a urinalysis,

2245 coordinate a class or whatever because there's plenty of funding for training

2246 for that, so I - I - I don't know the nuances but I know that there's - there's

2247 different financial pots to pull from when it comes to civilian and military...

2248

2249 Q: There has to be some...

2250

2251 A: ...training.
2252
2253 Q: ...some kind of a way to send the military to that school. If - if that's the right
2254 thing to do.
2255
2256 A: Fleet Forces and CNIC have apparently decided they're not going to send
2257 military personnel to FLETC.
2258
2259 Q: Now Fleet Forces, you keep mentioning them, but we don't fall under them,
2260 right?
2261
2262 A: It...
2263
2264 Q: I mean, they - they handle the ships?
2265
2266 A: No, no, it's Fleet Forces sets the standards. C- from what I gather it's, and -
2267 and again, this is way above my head. Fleet Forces says this is what you're
2268 gonna do. CNIC says okay, we're gonna do it this way and here's how we're
2269 gonna pay for it and the regions basically, okay, here's what you get, make it
2270 work. That's how it's been explained to me.
2271
2272 Q: Yeah.
2273
2274 A: To me it's a lot of red tape. I personally liked it better when it was sync, land,
2275 fleet and there were no regions and everything was controlled at the local
2276 level.
2277
2278 Q: Yeah, I know, I - I - I hear what you're saying. Um, okay, so again, we have a
2279 conflicting, a - a problem because you're saying there's an expectation that
2280 you will utilize the MAs on the patrol, right?
2281
2282 A: Mm-hm.
2283
2284 Q: To meet your mission and yet at the same time, you're being told you're not
2285 allowed to send those people to the training that's required to do that job.
2286
2287 A: And that we as police supervisors or the training planner are responsible for
2288 willing the role of the certified instructors at FLETC to bring these guys up to
2289 speed.
2290
2291 Q: All right, okay. So who actually told you - you can't send them to, you're
2292 saying in broad terms you heard that Fleet Forces and CNIC decided they're
2293 not...
2294
2295 A: Okay, I - I'm...

2296
2297 Q: ...they're not sending them but...
2298
2299 A: I get all this through my - through my director and through sync meetings
2300 and...
2301
2302 Q: Yeah, okay. So basically the person you hear it from...
2303
2304 A: I have not had a personal conversation with Admiral (Smith) who said we're
2305 not doing this.
2306
2307 Q: Right, but say (b) (6) told you we're not sending them because...
2308
2309 A: Well th- this goes back as - as far as (b) (6).
2310
2311 Q: Okay.
2312
2313 A: And I've sat in meetings and I know 'cause the XO, to her credit, she did pull
2314 the string on it and wanted to know why we couldn't. And she - she just said
2315 well she is being told that it's - it's not an option. Who the final yea or nay is
2316 on this, I don't know because I'm sure this goes, this isn't a regional decision,
2317 this goes up top of the chain. But I can tell you that no military component is
2318 sending military police officers to FLETC.
2319
2320 Q: Well, that, yeah, how do you know that? I mean, that the Army doesn't send
2321 people, you know that?
2322
2323 A: Yes. I've talked to the coordinator of FLETC, all of our members that go to
2324 FLETC, every class that comes back, it - it's strictly civilians. There are no
2325 military attending the uniform police training program.
2326
2327 Q: Maybe the feel that there's some other kind of training given through the
2328 military side that meets the standard or...
2329
2330 A: I - I don't know how the Army or Marine, I - I don't know how they train
2331 their MPs.
2332
2333 Q: Yeah, okay. So the MAs must get some kind of training, it, right?
2334
2335 A: I broke it down. Basically of the 260 hours that they get, they get maybe seven
2336 or eight hours of actual law enforcement training. And the two MAs that we
2337 just had report in, I sat down with them and went through the curriculum just
2338 because they just graduated from A School and asked them what they got and
2339 some of the responses were well, we skipped that this day, well this says, you
2340 know, traffic stops, field things, stuff like this, a couple hours. Well, we all

2341 didn't get a chance to do it, some of us just watched. It's - it's a joke.
2342
2343 Q: Hm. So they go to this A School for MAs?
2344
2345 A: Correct. And it, the - the majority of the focus on that is physical security,
2346 force protection type stuff. There's virtually no legal training or actual hands
2347 on law enforcement training. Where on the flip side, the fi- the civilians get all
2348 the - the hardcore law enforcement stuff, but when they come back, well you
2349 didn't get the sentry stuff and all this other stuff, so you have to complete this,
2350 too. So they have to go through that extra week.
2351
2352 Q: Mm-hm, mm-hm, which is more like what some of the stuff they teach at A
2353 School?
2354
2355 A: Right.
2356
2357 Q: More of the force protection?
2358
2359 A: Mm-hm.
2360
2361 Q: I see, hm.
2362
2363 A: It's stuff like harbor security and stuff like that, they may do in A School. It's
2364 not applicable here.
2365
2366 Q: Yeah. Okay.
2367
2368 A: (b) (5), things, to- topics like that. Those we're not even
2369 (b) (5) here so it's not even like the civilians or military
2370 would be missing out if they didn't get those.
2371
2372 Q: Right, okay. Okay. All right, now here's, ah, God, we've got - I've got
2373 somebody else coming at 11:00, you know?
2374
2375 A: Exactly, yep.
2376
2377 Q: Um, quickly, you mentioned also that Commander (Sellerberg) changed your
2378 performance evaluation? Now did you say it had been actually previously
2379 digitally signed by (b) (6)?
2380
2381 A: Yes.
2382
2383 Q: How do you unsign somebody's...
2384
2385 A: She had the people at CNRMA do it.

2386
2387 Q: Oh, like you can actually go into that?
2388
2389 A: Following - following this complaint I demanded an answer. Now I did not
2390 see the questions or information Captain (Boyer) sent to CNRMA, however,
2391 the new director read an email to me from the head of HRO at CNRMA,
2392 (b) (6), I can't even spell her last name.
2393
2394 Q: Yeah, it begins with an S.
2395
2396 A: Yes.
2397
2398 Q: (b) (6) or something.
2399
2400 A: So I asked, "I would like a copy of that email." He sent me the email after
2401 talking to the captain. He was not allowed to send me what the captain sent to
2402 her, but her response, I received and I responded. They claimed the XO did
2403 nothing wrong.
2404
2405 Q: Who - who is this, now, (b) (6) ?
2406
2407 A: (b) (6) .
2408
2409 Q: Okay.
2410
2411 A: She did an investigation and said that nothing was, there was no wrongdoing
2412 on the XO's part. The digital signature was accidentally lost. Because the XO
2413 claimed she needed to finish my eval and since (b) (6) wasn't there, she
2414 needed his signature removed. Which can't...
2415
2416 Q: He had signed the midterm?
2417
2418 A: My final.
2419
2420 Q: Oh, he had signed the final?
2421
2422 A: He retired on September 30th, the last day of the rating cycle. He completed
2423 my eval and signed it.
2424
2425 Q: Do you have a copy of that one that he signed?
2426
2427 A: No, because it's part of the program. I'm not, I don't get that until the award
2428 portion is finalized and released by CNRMA.
2429
2430 Q: Okay, right, right.

2431
2432 A: But I have a two-page signed letter from him...
2433
2434 Q: But...
2435
2436 A: ...stating she removed his signature. She definitely changed, 'cause I showed
2437 him the eval that I got, I didn't write this, this is a lie, and he gave me a two-
2438 page letter stating that.
2439
2440 Q: Okay, he digitally signed your evaluation, um, prior to September 30th or?
2441
2442 A: On September 30th.
2443
2444 Q: On 30 September. Okay, and then, um...
2445
2446 A: Now, the XO...
2447
2448 Q: When did she change it?
2449
2450 A: Which time? 'Cause I don't know. She's - she digitally signed it at least three
2451 times.
2452
2453 Q: Well, do you have a...
2454
2455 A: She claims once.
2456
2457 Q: ...copy of one that she signed?
2458
2459 A: I have copies of two that she digitally signed.
2460
2461 Q: Do you know when those dates were?
2462
2463 A: Ah, 23 October and November 2nd, I believe. After the period had even
2464 closed.
2465
2466 Q: Fifteen, and these, it's 2015, right?
2467
2468 A: Yes.
2469
2470 Q: Yeah. Okay, and you're saying he had signed it on 30 September before he
2471 retired?
2472
2473 A: Yes.
2474
2475 Q: But you don't have a copy of the one he signed? Like I - I just am saying it's

2476 possible, I think, to print that out like if you had seen it before you knew that
2477 it was changed you could have printed it out.

2478
2479 A: Well, for one thing, I never anticipated...

2480
2481 Q: Or he could have printed it out.

2482
2483 A: No.

2484
2485 Q: Did he print it out?

2486
2487 A: No, you're - you're not allowed to.

2488
2489 Q: So there's no copy of that?

2490
2491 A: No.

2492
2493 Q: No evidence, really, other than his letter?

2494
2495 A: Well, let - let's put it like this, when I've never had cause to go in and print
2496 the signature page on my eval before it's been issued to me.

2497
2498 Q: Oh, excuse me, sorry.

2499
2500 Man: Oops, sorry.

2501
2502 Q: Um...

2503
2504 A: Just give us a couple minutes, (b) (6).

2505
2506 Q: Yeah, actually, it's probably gonna be a little more if that's okay with you.

2507
2508 A: Yeah.

2509
2510 Q: Do you have time? Um, hi, could we, I'm gonna need a little bit more time in
2511 here. Can you come in maybe half an hour? Would that be (unintelligible)?

2512
2513 Man: Yes, I can, yeah, no problem.

2514
2515 Q: You sure?

2516
2517 Man: Yeah.

2518
2519 Q: Okay, thank you.

2520

2521 Man: Okay.
2522
2523 Q: Appreciate it.
2524
2525 A: Hey, (b) (6)?
2526
2527 Man: Yep.
2528
2529 A: Do you wanna work, w- were you heading home? Do you wanna work right
2530 through?
2531
2532 Man: I was gonna go - I was gonna go home.
2533
2534 Q: Okay...
2535
2536 A: 'Cause you're back here at, as long as - as long as he's back for duty at...
2537
2538 Man: 1:30.
2539
2540 A: ...1:30.
2541
2542 Q: Okay, have you been up all night?
2543
2544 Man: No.
2545
2546 Q: No, okay, I didn't...
2547
2548 A: No, he's working 'til, ah, (b) (5) .
2549
2550 Q: Okay. Okay, so just give us about another 30 minutes.
2551
2552 Man: Okay.
2553
2554 Q: Okay, thanks. Okay, sorry.
2555
2556 A: Get with the XO 'cause this is a very touchy, ah, I am so pissed off about this
2557 whole situation because under the rating cycle my director is my rating
2558 official. She is the higher rating official.
2559
2560 Q: Okay, the XO, you mean?
2561
2562 A: Correct.
2563
2564 Q: Is supposed to be the senior rating official, right?
2565

2566 A: The director did my eval, he signed it. Her job is just to sign it after that.
2567
2568 Q: As the sen- second rating official?
2569
2570 A: As the senior rating official.
2571
2572 Q: Mm-hm.
2573
2574 A: Now that was done, so there was nothing else to do with my eval. The only
2575 thing remaining was the award recommendation portion and my actual rating,
2576 one, two or three. The eval itself was done. Had she had just not done
2577 anything and given me my eval and screwed me out on award, great, I would
2578 have had (b) (6)'s eval, no award but it would have had her signature
2579 and his. She had it removed. Region is claiming it was an accident. I have an
2580 email from her saying if I have a problem with her changing - changing his
2581 eval I can take it up with HRO. So she changed it. I have the email that
2582 predates that. So whoever's covering this up down at region to back her up to
2583 keep her out of trouble, I don't know, but I am gonna get to the bottom of it.
2584
2585 Q: Okay.
2586
2587 A: She falsified a document, she put information in my eval that is not true and
2588 she could not substantiate, she has not followed the instruction to give me my
2589 performance appraisal review. My performance conversation, I met with her, I
2590 addressed her, she wouldn't answer my questions 'cause she couldn't. 'Cause
2591 everything I could justify, I had copies of everything. I can back up everything
2592 in my eval.
2593
2594 Q: Okay.
2595
2596 A: She put me off, scheduled another meeting, cancelled it. Then she be- before
2597 comple- advised me, she's telling a subordinate to file a grievance. Why?
2598 There's nothing to grieve yet. You haven't given me my eval.
2599
2600 Q: Oh, she told you that before she gave you the eval?
2601
2602 A: Right.
2603
2604 Q: Ah...
2605
2606 A: So finally after prompting the CO and making complaint after complaint after
2607 complaint, she finally agreed to sit down with me again. And I brought my
2608 deputy director with me each time, who's active duty military. The third time
2609 she sat down, I asked her the questions again. "I don't have to answer you. If
2610 you want responses you submit them to me in writing and I will answer you

2611 via email.” “Thank you, ma’am.” And I did just that and I sent her questions. I
2612 have not received an answer to one.
2613
2614 Q: When did you send the email?
2615
2616 A: It’d be after our third meeting. I will send you the entire email history of this.
2617
2618 Q: Well, let me say something about this, because you said this happened after
2619 you submitted your complaint? Now was your rating down less than what it
2620 was when...
2621
2622 A: She didn’t rate me. She rated me as - she rated me, ah, forget the award
2623 portion because I was not, for the past four years I’ve had perfect evals.
2624
2625 Q: Well here’s, let me just...
2626
2627 A: She clicked the acceptable. Performance acceptable but then her narrative says
2628 not performing at the expert level.
2629
2630 Q: Okay, and now is that different from what (b) (6) had said?
2631
2632 A: One hundred percent completely different.
2633
2634 Q: He had said more favorable things than she did, is that correct?
2635
2636 A: He closes out his letter saying that he had intended to put me in for QSI this
2637 year ‘cause it’s my fourth consecutive perfect eval.
2638
2639 Q: Okay. Okay, that’s what I was just trying to ask you was her write up less
2640 favorable than (b) (6) s?
2641
2642 A: It’s the worst eval I’ve ever received in my career.
2643
2644 Q: So it was less favorable than (b) (6) s?
2645
2646 A: Oh, yes.
2647
2648 Q: Okay. She, so she, when she...
2649
2650 A: And the fact that she’s never observed my performance.
2651
2652 Q: Okay, so, um...
2653
2654 A: The only one that should have stepped in if it came to the fact that okay,
2655 (b) (6) is gone, he did his eval. Now we come to the award portion, well

2656 who's been your, now that (b) (6) is gone, who's your supervisor? (b) (6)
2657 (b) (6), who was the prior deputy director. He should have continued
2658 and finished as the rating official.

2659
2660 Q: Right.

2661
2662 A: The XO had herself put in as both my rating official and higher rating official,
2663 that was her doing. And I specifically sent an email to region prior to that
2664 asking because once (b) (6) left he couldn't fulfill the remainder of like
2665 say when I rate (b) (6).

2666
2667 Q: So she's in there as both your rating official and your seating rating official?
2668

2669 A: Mm-hm.

2670
2671 Q: Now see, if that was the case that she became somehow your rating official
2672 then the CO would have been the senior rating official. That's how it goes. It's
2673 not the same...

2674
2675 A: There...

2676
2677 Q: ...person.

2678
2679 A: There is - there is a caveat in the instruction of business rules for IPMS that
2680 says when there's certain circumstances, the rating official can be...

2681
2682 Q: Oh, both.

2683
2684 A: ...both if the executive director of the program approves. I have no approval
2685 and it's supposed to be annotated in my appraisal, the circumstances.

2686
2687 Q: Of why?

2688
2689 A: It's not.

2690
2691 Q: Okay. Okay, so you did some research on that. So here's the thing, though,
2692 what I wanna just say about this one is this is probably something to share
2693 with the people doing the reprisal...

2694
2695 A: Oh, it's, um, I've got the whole...

2696
2697 Q: ...complaint.

2698
2699 A: ...package ready to go on a separate, this is a separate issue that I'm filing.

2700

2701 Q: Yeah, so besides the...
2702
2703 A: But from - from a...
2704
2705 Q: ...verbal threat of the PAT test, this eval thing...
2706
2707 A: From the other standpoint, the CO of this base and I - I called him to task, you
2708 know what your XO did. You're the commanding officer, the convening
2709 authority, you know you have facts in front of you that she did something
2710 wrong. She's violated UCMJ. What are you gonna do about it? Nothing.
2711
2712 Q: You, did you send him an email to that effect?
2713
2714 A: This was verbally spoken directly and I do have emails to him to that effect.
2715
2716 Q: Can...
2717
2718 A: She has lied. She's put false information in an official document about my
2719 performance. She's failed to comply with the instruction regarding IPMS. And
2720 her cavalier attitude, every response is, "How do you - how do you justify
2721 this? Can you ex- I'm the XO."
2722
2723 Q: Okay.
2724
2725 A: That is her response.
2726
2727 Q: What's the IPMS instruction, do you happen to know?
2728
2729 A: Not the number but I'll be more than happy to send it to you along with the
2730 business rules and everything else...
2731
2732 Q: Yeah, I'm not really sure what we're gonna do with that because it may be
2733 more appropriately dealt with as part of the reprisal. I - I would, I think that's
2734 probably...
2735
2736 A: Nothing was done.
2737
2738 Q: ...the proper venue for that.
2739
2740 A: (b) (6), and don't take this personal, I have no faith in the IG. I don't. You
2741 know, from the previous relationship we had with (b) (6), you guys had
2742 my complaint, it lasted over a year and a half, two years before I had to go to
2743 Senator (Whitehouse). Then all of the sudden you and (b) (6) showed
2744 back up at Building 1373, now it's a high priority thing. And I do a FOIA
2745 request at the end of your investigations...

2746
2747 Q: I remember all that.
2748
2749 A: ...guilty for (unintelligible) abuse, mismanagement of the award funds, (b) (6)
2750 (b) (6) was guilty and what did he get? Nothing.
2751
2752 Q: Well, this is what you have to understand.
2753
2754 A: IG headquarters gave him a GS-14 job down in DC.
2755
2756 Q: I know. I know. But you have to know that we had...
2757
2758 A: I don't blame you guys personally, but the politics involved, it's a whitewash.
2759 It always has been and I'm - I have no doubt that this will be the same thing.
2760 And we're not gonna let the supervisors, and I mean, we, (b) (6),
2761 (b) (6), me- financial, we have nothing to gain in this. We wanna
2762 do our job.
2763
2764 Q: Yeah.
2765
2766 A: We wanna make sure everyone's safe and this base is protected. Yeah, the
2767 sergeants, they might benefit because if they get the lieutenant position filled,
2768 one of them get promoted, I'm not getting anything out of this. But we have
2769 targets on our back now from this command and the region because we stood
2770 up. And we didn't wanna go outside to the senators and everything.
2771
2772 Q: Well...
2773
2774 A: We started this in house and in CNRMA.
2775
2776 Q: Well I saw that, I could see that.
2777
2778 A: And CNIC and Fleet Forces, and SECNAV, it's like and then DOD. How far
2779 do we have to go?
2780
2781 Q: Yeah.
2782
2783 A: We've been sitting saying you know what, if - if we don't get anything done
2784 and - and the congressmen don't do it, maybe we should sit down with one of
2785 the local news stations because this is - this is a whitewash.
2786
2787 Q: Yeah, this - this particular matter of the, um, eval being changed after, now I
2788 know your first letter was in September 17th, right, was the first letter that you
2789 sent to CNRMA, right?
2790

2791 A: Right, but - but this...
2792
2793 Q: And then in October...
2794
2795 A: ...issue has been going prior to that.
2796
2797 Q: ...you sent another one. Right, and so then after September 17th is when she
2798 changed your eval, right?
2799
2800 A: And isn't it coincidental that after the whole eval process had closed, it was
2801 closed, when (b) (6) said he was coming up here to do his investigation she
2802 reopened my eval again and digitally signed it after it was closed. I don't
2803 know what she did, but who gives someone - I know I can't go open an
2804 employee's eval after it's already been closed. The deadline was over, it was
2805 like October 27th, I believe. Why did she go in there, coincidentally, the same
2806 time he's coming up here and do something to my eval? Is that when she put
2807 all that language in there?
2808
2809 Q: Yeah, you had...
2810
2811 A: I don't know.
2812
2813 Q: There's a second letter here that you wrote October 21st to congress, right?
2814
2815 A: Mm-hm.
2816
2817 Q: No, this is to the two admirals, admiral CNIC and Fleet Forces.
2818
2819 A: And following that is when (b) (6) was directed...
2820
2821 Q: Oh, and you faxed this to congress on...
2822
2823 A: Mm-hm.
2824
2825 Q: ...October 21st. So I - I think that evaluation situation is definitely something
2826 to include in the reprisal when you talk to someone...
2827
2828 A: Oh, I've already spoken to an attorney. They'll, I'm putting...
2829
2830 Q: But I mean, when...
2831
2832 A: ...that whole, but with OSC you gotta put together that whole like 11 page
2833 complaint form that they, but...
2834
2835 Q: Okay, so that, I would include...

2836
2837 A: I have...
2838
2839 Q: ...that in there.
2840
2841 A: ...pages and pages of backup on this.
2842
2843 Q: Okay, but I would say that for right now, let's let them handle that.
2844
2845 A: Oh, absolutely.
2846
2847 Q: I hear what you're saying and I've got it but I'm not gonna go there because I,
2848 we don't wanna be concurrently...
2849
2850 A: Right, but I'm just saying from a reprisal standpoint that's one thing.
2851
2852 Q: Mm-hm.
2853
2854 A: But from a military violating UCMJ and rules and regulations...
2855
2856 Q: That's a separate matter.
2857
2858 A: ...that's a separate point.
2859
2860 Q: I see.
2861
2862 A: So if she's not...
2863
2864 Q: I will discuss that with...
2865
2866 A: ...following through her...
2867
2868 Q: Yeah.
2869
2870 A: ...obligation under the CNIC instruction governing IPMS she's in violation.
2871 And if she put false information on the IPMS form, which is an OPNAV form,
2872 that's a separate violation.
2873
2874 Q: Mm-hm, okay. Yeah, if you could send me the IPMS instruction...
2875
2876 A: Mm-hm.
2877
2878 Q: ...just so I don't have to hunt it down if you happen to have it.
2879
2880 A: Okay.

2881
2882 Q: That would be helpful. Um, yeah. All right, now the other two things are la-
2883 lastly, this was in the emails, oh dear, from (b) (6) to you. And it's talking
2884 about somebody, he's mentioning the gun decked and screwed up MA
2885 compliance training. Now was that covered by what you already told me or...
2886
2887 A: No.
2888
2889 Q: ...to me the term gun decked...
2890
2891 A: That's...
2892
2893 Q: ...means falsified or something.
2894
2895 A: It is, it is, it is. But, um, that's more of an open issue right now because the
2896 union was going to file an unfair labor practice. So from a management
2897 standpoint, my advice to the director and the CO was the training that the - the
2898 - the two MAs in particular that they're undergoing do not call it compliance
2899 training. Because if you do, you - you're gonna be in violation, they - they've
2900 got you. If you put it as familiarization training the union will not have a leg
2901 to stand on to file an unfair labor practice. So that's kind of an open issue right
2902 now because nothing really has occurred. But the premise started was if we're
2903 not gonna send MAs to FLETC, the XO insisted that they be given
2904 compliance training which is a whole separate issue.
2905
2906 Q: So this gets back to what you were talking to me about before about the
2907 disparity between the civilian and military?
2908
2909 A: Well this is - this is, ah, a - a - for any MAs or civilians who have not been to
2910 FLETC there's a provision where you can meet compliance training. Like say
2911 so when I, there's an, ah, CNIC HPD advisory that came out which falls in
2912 line with the CNIC instruction and - and there's a form and it says you have,
2913 you basically if we're not gonna send you to FLETC you've gotta prove to us
2914 you meet the same minimum standard. So when I had to do it a couple of
2915 years ago, it's like okay, um, you know, bachelor's degree in criminal justice.
2916 Here, I attended the (Renau) Municipal Police Academy and here's my
2917 certificate and all the hours that I achieved here. Over the years, here's all the
2918 sustainment training that I've kept up with and done this. All the additional
2919 training I've done independently to show okay, yeah, we're not gonna send a
2920 guy who's got all this to an introductory academy.
2921
2922 Q: Mm-hm, mm-hm.
2923
2924 A: Well...
2925

2926 Q: I follow you.
2927
2928 A: The XO's thing was well, our MAs just do the compliance instead. But
2929 compliance only applies to MAs prior to 2006 or civilians hired prior to that
2930 date, prior to this, all this academy stuff started.
2931
2932 Q: I'm so confused.
2933
2934 A: So she's saying brand new MAs or MAs that came out after that date, just
2935 give them the compliance training. Which...
2936
2937 Q: She being the XO?
2938
2939 A: The XO. And in fact, there's an unfair labor practice right now that's filed by
2940 the XO.
2941
2942 Q: Why is that an un- unfair labor practice? What does that have to do with civil-
2943 civilians?
2944
2945 A: Because it's circumventing the system and because the person she's directing
2946 to do this training is the training officer who's covered by the bargaining unit.
2947
2948 Q: And he, what's wrong with asking him to give them that training?
2949
2950 A: Because they haven't negotiated the instruction yet. So for him to do it, the
2951 union, he's basically saying you're putting me in a predicament 'cause I don't
2952 agree with this. We haven't negotiated this yet. How can you make me do
2953 something when your paragraph says you have to negotiate it before it's
2954 implemented?
2955
2956 Q: Okay.
2957
2958 A: You're making me do it.
2959
2960 Q: With the union? Meaning...
2961
2962 A: Right.
2963
2964 Q: ...the union hasn't approved it yet?
2965
2966 A: So when she called a meeting with myself, (b) (6), the master chief
2967 and the training officer. At the opening of the meeting I - I as- I said,
2968 "Respectfully, Commander, I - I don't think at this time (b) (6)
2969 should be present for this meeting, for this discussion." "Why?" I - I just,
2970 'cause I don't wanna tip him - his hand and she just basically shunned me, "I

2971 don't care." We had the meeting, (b) (6) made his comments and he
2972 went...

2973

2974 Q: Who's (b) (6), the training officer?

2975

2976 A: The training officer, he's a patrolman. He went right back to the union...

2977

2978 Q: And he's non-supervisory?

2979

2980 A: Correct. Basically, she played right...

2981

2982 Q: Bargaining union member.

2983

2984 A: She played right into their hands, they filed the unfair labor practice. And
2985 (b) (6) and I went right into the master chief afterwards and said, you
2986 know, personalities aside, I - I don't...

2987

2988 Q: So he complained to the union because the XO asked him to give some
2989 training to the MAs basically?

2990

2991 A: Basi- well, if - if you wanna put it in that frame, but his thing is basically you
2992 guys have been trying to do - negotiate this instruction and the XO just told
2993 me to do it. So here's your ammunition...

2994

2995 Q: Okay.

2996

2997 A: ...to get her.

2998

2999 Q: Okay, so be...

3000

3001 A: The instruction hasn't been negotiated.

3002

3003 Q: Okay, okay, so he complained to the union because the XO asked him to give
3004 the training to the MAs before the training instruction...

3005

3006 A: The actual instruction had been negotiated.

3007

3008 Q: ...had been negotiated and approved by the union, agreed upon to - by the
3009 union.

3010

3011 A: The impact and implementation.

3012

3013 Q: If there's a training instruction is it...

3014

3015 A: That's that 3502.02 I was talking about.

3016
3017 Q: 3502 CNIC instruction?
3018
3019 A: Correct.
3020
3021 Q: So that hasn't been negotiated with the union but it has been issued by...
3022
3023 A: It's been issued but see, it's - it's the whole labor relations angle, when it
3024 comes to instructions, it's - it's confusing because they can put an instruction
3025 out. But until it's negotiated with the union, it can't be implemented. Well, I
3026 shouldn't say that. It, the - the aspects that impact the union can't be.
3027
3028 Q: Like the uniforms and the PAT tests?
3029
3030 A: Mm-hm. It's not to say that it won't eventually go through and they'll be
3031 stuck with it, but as far as impact and implementation, that's, that can be
3032 quick...
3033
3034 Q: So it's like the uniforms, that physical agility test and this training of,
3035 providing training to military members, right?
3036
3037 A: Right.
3038
3039 Q: Civilians training military, is that what...
3040
3041 A: Well not so much the training of the military, it's the impact of that training
3042 on the union members. So in the case of (b) (6) he's the training officer.
3043 Do this. I know it's not what we're supposed to be doing but just do it. Yeah,
3044 but we haven't negotiated the instruction and what you're telling me to do
3045 conflicts with the instruction. I don't care, just do it. That's what she's saying.
3046
3047 Q: Y- why, the instruction says to do something else?
3048
3049 A: Right, they're not th- compliance is only applicable to veteran MAs and
3050 civilian police officers.
3051
3052 Q: Oh, compliance...
3053
3054 A: New MAs...
3055
3056 Q: ...is a type of training.
3057
3058 A: Right, so new MAs aren't eligible for compliance.
3059
3060 Q: Okay.

3061
3062 A: Just like new civilians are not eligible.
3063
3064 Q: So in this instruction, so you gotta help me 'cause I don't know what you're
3065 talking about. The CNIC instruction describes something called compliance
3066 training, right? Is that what you're saying...
3067
3068 A: You're correct.
3069
3070 Q: ...there's a section on it?
3071
3072 A: It - it covers all the training in compliance versus initial.
3073
3074 Q: Oh, initial training is another kind of training.
3075
3076 A: I'm confusing you.
3077
3078 Q: And it says compliance training only applies to MAs hired before 2006...
3079
3080 A: That...
3081
3082 Q: ...you said?
3083
3084 A: That was in the initial email message. I'd have to go back and look and see
3085 what the date is. Basically...
3086
3087 Q: It's not in the instruction itself?
3088
3089 A: It - it, I'm sure there's reference to it.
3090
3091 Q: Okay.
3092
3093 A: Basically when DOD first came out with this minimum training that everyone
3094 has to do this stuff.
3095
3096 Q: Yes, okay.
3097
3098 A: They put a caveat in there that no one's grandfathered, everyone has to do
3099 this.
3100
3101 Q: Mm-hm.
3102
3103 A: The Navy has come out and said okay, no one's grandfathered, but for those
3104 people that were already working here and doing this job prior to this
3105 instruction, we're gonna do what's called compliance packages for you guys.

3106 So if you show that you've done all this...
3107
3108 Q: Okay, so you just explained that to me.
3109
3110 A: Right.
3111
3112 Q: I got you now.
3113
3114 A: So the XO was basically saying okay, but we have these brand new MAs that
3115 aren't gonna go to FLETC, then we're just gonna do compliance training for
3116 them.
3117
3118 Q: Ah, well it's not...
3119
3120 A: It's not possible.
3121
3122 Q: ...really compliance training, it's a compliance package where he's gonna look
3123 at what they already...
3124
3125 A: Well, she's not saying do the package. Basically she said just do these
3126 sustainment do- CNRMA came out and said to qualify MAs just give them
3127 these specific sustainment topics and that's good enough, but it's not. It
3128 doesn't meet the standard.
3129
3130 Q: Okay, so what I can say, though, about this allegation about the gun decked
3131 master at arms training, in other words he's saying that they didn't really get
3132 the...
3133
3134 A: That's an open issue.
3135
3136 Q: ...full scope of training that they're supposed to get.
3137
3138 A: Oh, absolutely not.
3139
3140 Q: But we're trying to say they did?
3141
3142 A: They sat in a class with (b) (6) and did Power Points for a week.
3143
3144 Q: And that's what he means by gun decked?
3145
3146 A: Right, they're not, they do not have the same initial or they don't meet the
3147 same...
3148
3149 Q: And it's just two guys that we're talking about?
3150

3151 A: Just two.
3152
3153 Q: And the union is still dealing with this?
3154
3155 A: But because that's an open issue, because...
3156
3157 Q: Okay.
3158
3159 A: ...they didn't classify it as compliance and these two guys are still riding
3160 around for famil- familiarization.
3161
3162 Q: Okay, and it's...
3163
3164 A: The union can't take any action.
3165
3166 Q: And does he have an open unfair labor practice with the union on this topic
3167 now still that hasn't been resolved?
3168
3169 A: Yes. The - the initial one that, um, about the meeting. I don't know whether
3170 they have another one following that, but the one of the meeting, there's -
3171 there is a case number assigned by the FLRA for that.
3172
3173 Q: Okay, so point being I probably should not do anything with that because the
3174 union is already handling it for the time being?
3175
3176 A: Plus, as far as the - the gun decking for these two specific MAs because they
3177 haven't been put on patrol yet.
3178
3179 Q: Okay. What are their names?
3180
3181 A: Um, (b) (6) who is gonna be a moot point because he's retiring or
3182 getting out of the Navy, I should say, in another week or two.
3183
3184 Q: Okay.
3185
3186 A: And the other one is (b) (6). Which in my opinion, he will never be
3187 patrol qualified.
3188
3189 Q: And neither of them have been put on patrol?
3190
3191 A: No, not solo patrol by themselves, no. And as long as that word
3192 familiarization is what put us in compliance, the union doesn't have a leg to
3193 stand on.
3194
3195 Q: Okay, so we're gonna, you don't see this as a - an allegation...

3196
3197 A: Not right now.
3198
3199 Q: ...to pursue? Okay.
3200
3201 A: But as we get more and more MAs, it - it's - it's gonna raise its head again.
3202
3203 Q: Okay. Um, oh, yeah, now the vehicles. I had talked to (b) (6) about the
3204 vehicles.
3205
3206 A: Oh, he's the guy to talk to.
3207
3208 Q: That was something also in this email. It said something about the vehicles
3209 that have been sitting in the front lot since last summer.
3210
3211 A: Mm-hm.
3212
3213 Q: So I - I wanted to just find out what the story was with that and I - I think I
3214 understand it but it's kind of a bigger problem. Um, (b) (6) said it's this
3215 whole system that's in place now to, they buy the vehicles...
3216
3217 A: There's so much red tape now with CNIC and...
3218
3219 Q: Through GSA.
3220
3221 A: ...these authorized equipment lists and all this. In the past when we got a fleet
3222 of vehicles we'd get our bids, we'd send it to the vendor, everything would be
3223 purchased and put on by the vendor there. It was never an issue. Now it's
3224 jumping through hoops to get approval. Is this on the list? And I know one of
3225 the examples, I don't know whether (b) (6) mentioned it is, oh, we
3226 have the light bars but they don't come with the brackets. It's a separate issue.
3227 You've gotta be kidding me.
3228
3229 Q: Yeah.
3230
3231 A: And, you know, another equipment issue which we had in the teleconference,
3232 one of the, ah, our armory, ah, personnel mentions, you know, this authorized
3233 equipment list, if it's not on it, you don't get it. And his thing is well, we
3234 wanted to get flashlights for our rifles. The mounts to put the flashlight on the
3235 rifle, they're on the AEL. The flashlight isn't.
3236
3237 Q: Yeah, I can...
3238
3239 A: It's ridiculous.
3240

3241 Q: Yeah.
3242
3243 A: But to have these tied up all this time, so we're paying the leases on these and
3244 we're paying a lease on the vehicles that when those arrived, we're supposed
3245 to turn in two other vehicles. Now we're paying more money on those.
3246
3247 Q: But you can't use them, you're paying on these vehicles that you can't be put
3248 into operation, right?
3249
3250 A: The - the two vehicles in the front lot right now, other than if an admin person
3251 wants to run an errand, they can't be used for police work. They're not
3252 outfitted with lights, siren, cages, any of that stuff.
3253
3254 Q: Okay, all right.
3255
3256 A: But I guarantee you, before September of this year, they will be fully outfitted
3257 and marked because we ran into the same problem in 2013 I wanna say. What
3258 are we in, '16? 2014. I'm sorry. Same issue, pickup truck showed up, the
3259 union was filing a grievance, they sat out there for weeks and weeks and
3260 weeks. The in- international sea symposium conference is going on at the war
3261 college, we need vehicles, we need every- the union made an agreement,
3262 okay, we'll drop our unfair labor practice but you need to outfit them with this
3263 and this. One phone call, CNO to CNIC, those trucks went out, they were
3264 back within a week.
3265
3266 Q: Mm-hm.
3267
3268 A: We're in the same boat this year for ISS. It's coming up again in September. I
3269 guarantee those cars will get done. But it's unfortunate that you have to have
3270 something like that put a fire under someone to get it done.
3271
3272 Q: Yeah, and meanwhile, all these months are going by that he told me we're
3273 paying \$1800 a month per vehicle.
3274
3275 A: Th- this happened numerous, we - we turned in a vehicle years ago that sat
3276 down at our public works facility that the government still paid a lease on. We
3277 weren't using the vehicle anymore 'cause we turned it in. It sat there for
3278 almost a year.
3279
3280 Q: Mm-hm.
3281
3282 A: Now I don't know, once it goes to public works and GSA and who - who
3283 deals with it, but it's a waste of money.
3284
3285 Q: But, you know, when you look at the bigger picture, it just seems like is it, this

3286 is, you - you're just looking at Newport and two vehicles. But I mean, this
3287 could be...

3288
3289 A: Systemically...

3290
3291 Q: ...across CNIC. There might be 100...

3292
3293 A: This is...

3294
3295 Q: ...vehicles that are sitting in lots without outfit...

3296
3297 A: And you add up all the grift and the fraud, waste and abuse, it's ridiculous.

3298
3299 Q: Without their equipment and they're being paid for and they can't be used. I
3300 mean, who knows? If there's two here there might be...

3301
3302 A: Just think, but Admiral (Williamson) came up here a few months ago when he
3303 came up, they spent a half a million dollars to fix our pop up barriers. He left,
3304 the day after he left they malfunctioned again. They're junk. We have
3305 subcontractor after subcontractor, one cannibalizes this to fix that, they're two
3306 separate systems. It's ridiculous. The average taxpayer, ah, I mean, and this is
3307 just Newport, like you said. If this is going on everywhere, no wonder we're
3308 in the budget situation we're in.

3309
3310 Q: Yeah, yeah. Yeah. Okay, well that's all I had, that was my last topic was the
3311 vehicles. Um, I think we covered everything. And I know you already went
3312 through a great deal of - of discussion with (b) (6), um, but that was, I believe
3313 mostly focused on the overtime and manning, ah, issues.

3314
3315 A: And like I said, his, the recommendations that we were able to see, 'cause like
3316 I said, there's over 80 or 90 pages that we filed the FOIA, it was denied. They
3317 won't let us see it, but the MA training, he addressed that, made a
3318 recommendation, nothing's happened. He made a re- recommendation about
3319 the supervisory positions, nothing's happened. Made the recommendation
3320 about the risk analysis, they did it, the command's not acknowledging it. So
3321 everything he did, ah, like I said, nice guy, but the things that have gone on
3322 here, we - we're just getting the feeling we're getting the runaround and we -
3323 we know how it goes. We, I mean, (b) (6) was relieved here and
3324 then she shows up for a job at the Pentagon, I mean, (b) (6), all that goes
3325 - that goes without saying. That blew everyone's mind. But again, that's, I
3326 mean, the politics at play is one thing, but COs come and go, XO's come and
3327 go, we're still left with the problem. And my big fear is if we had a mah-
3328 (b) (6) situation here or if anything happens we're all gonna fall. And
3329 fingers are gonna be pointed and, you know, over time I'm sure you've seen
3330 it, just, you know, and - and (b) (6) is a good one for it, you bring

3331 something up and it's like well how long has this been going on? Why didn't
3332 you report it sooner? Well now we're reporting it.

3333
3334 Q: Mm-hm, mm-hm.

3335
3336 A: 'Cause if nothing happens, at least we got a chair to sit in when the music
3337 stops.

3338
3339 Q: Yeah, yeah, okay. Well, you have a list there of a few things to follow up with
3340 - with me and if you think of anything else...

3341
3342 A: Okay.

3343
3344 Q: ...feel free to call me and I'll do the same. And thank you for your time. I'm
3345 gonna shut this off now.

3346
3347 A: It's...

3348
3349
3350 The transcript has been reviewed with the audio recording submitted and it is an accurate
3351 transcription.

3352 Signed _____