



**The Department of Defense Inspector General
(DoDIG) System:**

“Independent Watchdog”

turned

Institution’s Lapdog

- Public Release Copy -

An independent report by the Walk the Talk Foundation on the **failure of the Department of Defense Inspector General (DoDIG) System** and the resultant effects on recruiting, retention, and readiness in the U.S. Military

14 June 2024

For: Members of the U.S. Senate Homeland Security and Government Affairs Council,
Members of the U.S. Senate Armed Services Committee,
Members of the House Armed Services Committee,
Members of the Council of Inspectors General on Integrity and Efficiency,
Senator Charles Grassley, Ranking Member, U.S. Senate Committee on Budget
Senator Gary Peters, Chair, U.S. Senate Homeland Security and Government
Affairs Council,
Senator Jack Reed, Chair, U.S. Senate Armed Services Committee,
Senator Mark Warner, Chairman, U.S. Senate Select Committee on Intelligence
Senator Tim Kaine, U.S. Senate Armed Services Committee
Representative Michael Rogers, Chairman, U.S. House Armed Services
Committee,
Representative Sean Casten, Member, U.S. House Committee on Financial
Services,
Representative Rob Wittman, Vice Chair, U.S. House Armed Services
Committee
Representative Donald Beyer Jr., Senior House Democrat, Joint Economic
Committee

Subject: A Congressional Imperative - The Creation of a Truly Independent Inspector General for the Department of Defense

Members of our United States military have all but lost complete faith in the Department of Defense's Inspector General system. This message is unmistakably conveyed with the voices of over 2,000 signatories on the attached petition lobbying you, our nation's lawmakers, to revamp a system in dire need of repair. We present you the issues, challenges, and solutions as follows:

1. The Department of Defense Inspector General (DoDIG), a system disingenuously advertised as only "administrative" in nature, is unequivocally failing at carrying out its mission to investigate complaints with either of the two self-touted core values that adorn its crest: Integrity and Efficiency. The consistent failures of the Office of the Inspector General and its larger IG enterprise are having damaging effects on trust in the DoD, are squandering likely millions of taxpayer dollars (Table Two), negatively impacting operational readiness and recruiting and retention, and, without exaggeration, placing, and will likely continue to place American service members' lives in danger through both its negative impact on the personnel readiness of our force as well as its causal link to the U.S. military suicide and mental health crisis.
2. We reached these conclusions through in-depth analysis of numerous case studies, one-on-one interviews and advisement of over 400 current and former service members, analysis of publicly available data concerning punitive and non-punitive

punishment resulting from the DoD's administrative investigations (IG and EO), and engagement across the service member advocacy community. Supporting this proposal are nearly 50 case studies gathered from current and former service members and a grieving mother whose service member daughter died as a result of the issues we highlight here. These stories not only represent American citizens' experiences, they represent their traumatization and re-traumatization by DoD leadership and processes. Due to their length, we have summarized the case studies starting on page 19, but the full reports are available upon request.

3. As a result of our analyses, six major themes emerged:
 - a. **A lack of due process and transparency throughout:** Complainants and subjects are afforded little to no due process and/or transparency from the initiation of an investigation through determination (or lack thereof) of substantiation. The result is a significant trust deficit of the investigatory and associated "administrative" punishment system which results in deterring personnel from reporting wrongdoing. This deterrence negatively impacts the DoD's ability to correct systemic issues that hurt its own people and waste taxpayer dollars (Table Two).
 - b. **Conflicts of interest due to Inspectors' General and command-appointed investigating officers' subordination to commanders:** This fundamental flaw introduces a palpable conflict of interest for Inspectors General/Investigating Officers, who have to choose between loyalty to their duty to report the truth, no matter how poorly it reflects on their organization's leadership, and loyalty to themselves and/or their careers. A natural risk of this conflict is that IGs/IOs will collude with commanders to suppress derogatory findings and/or contort them so as to not reflect poorly on the organization's leadership, thus allowing the continuation of an environment that abuses our service members.
 - c. **Inadequate training of Inspectors General and command-appointed investigating officers:** Many personnel who work in Inspector General offices receive only rudimentary (some as little as 5 days) training to conduct their work. In fact, some detailed out to conduct administrative investigations such as commander-appointed Investigating Officers (IOs), receive training measured in hours. This paltry amount of training is neither enough to understand the investigatory process, nor enough to understand the ethical responsibilities associated with conducting a proper investigation. Coupled with the risks created from the conflicts of interest noted above, the result is incomplete and potentially biased investigations that can lead to extreme negative outcomes.
 - d. **Lack of timeliness in investigations:** "Justice delayed is justice denied." Because there is no statutorily-mandated timeline for the completion of an IG investigation, victims are victims twice-over: the act itself, then the long and

arduous battle for justice. As time elapses, the chance that the service member will receive adequate restitution dwindles and all the while, the personal, professional, and psychological toll on that person mounts.

- e. **Link to the military suicide and mental health crisis:** DoD leadership abuses and misuses of the Inspector General system, coupled with the system's design that refuses complainants and subjects due process or transparency, create feelings of hopelessness, paranoia, isolation, anxiety, aimlessness, and depression. For many, the military is more than a job; it is an identity. As you will see from the case study summaries, service members start from a position of trust, hence their inclination to file a complaint and to trust their leadership intentions. They are met with systematized reprisal and retaliation, among other abuses, resulting in deep feelings of betrayal and total loss of trust in their leadership. This is the very definition of moral injury. These initial traumas coupled with the problem of re-traumatization inherent in the investigatory process directly contribute to mental health concerns, including suicidal ideations, and, in darkly tragic cases, actual suicide.
- f. **Normalization of deviance:** The DoDIG system, in the conduct of their investigations, routinely violates public law as well as DoD policies. The hubris with which the DoDIG system believes itself to be above the law is reflective of a culture that complicitly and routinely accepts deviations from rules and regulations. This then begs two questions: if Inspectors General can violate some rules with impunity, what rules will they *not* violate? Further, if Inspectors General can so cavalierly discard the rule of law within the DoD, how can they be expected to uphold it?

4. We recommend four overarching remedies to these issues:

- a. **Creation of an independent Office of the Inspector General:** The only means by which military members can hope to be afforded redress and justice in a timely and impartial manner is through a system which cannot be influenced, leveraged, corrupted, and/or ignored by the Department of Defense. The only way this is achieved is by removing the Office of the Inspector General and its subordinate inspectors general offices from the organizational structure and thereby the influences of the military chain of command and leadership.
- b. **Increased oversight and accountability:** The breakdown of trust of the DoDIG system is attributable, in part, to the lack of real oversight and accountability that has taken place over the past decades, especially as it pertains to investigation of complaints. Had proper checks and balances been instituted and executed by both our Congress as well as entities such as the Council of Inspectors General on Integrity and Efficiency (CIGIE), there is no doubt we would not see the levels of investigative shortfalls we see today.

Responsive and relevant oversight and accountability controls must be a part of the original organizational design of an independent IG.

- c. **Increased and improved training:** The impacts of a military administrative investigation cannot be overstated. Results of these investigations can have significant and lasting impacts on military members' careers and lives. Far more care must be taken in these investigations; the corollary being that investigators, those tasked with assisting investigations, and those performing legal reviews of investigations must be far better trained than they are currently.
- d. **Mandatory timelines for the completion of investigations:** The solution here is simple as are the reasons for it. With every day that passes during an IG investigation, the fleeting opportunity to both hold perpetrators to true account as well as provide adequate restitution to the victim dwindles. Investigations must be completed in a timely manner and Inspectors General who fail to adhere to those mandated timelines must be reprimanded. Further, there is an immediate and very real cost to the American taxpayer for each unjustly long investigation that forces the whole investigatory enterprise - subjects, complainants, investigators, judge advocates general, commanders, etc. - to unduly focus on the investigation instead of their unit mission.

Why This Issue Matters. The United States military finds itself today at an existential crossroads with two converging trends: recruiting, retention, and trust in our military in steady decline married with the increase in the number and gravity of threats to our democracy. If these trends continue unchecked, we will find ourselves beyond the point of no return – where our military, lacking in talented personnel and lacking our country's trust, will no longer be able to confront the threats that aim to do our nation harm.

In brief: we need a strong military, one that trusts its leaders. Long past should be the days in which our fighting force's members are abused and wronged with impunity. To achieve this as-of-yet unattained goal, however, we need *truly independent*, thereby viable, avenues of redress and justice for those who have committed to serving and sacrificing for our country. Simply put: we need reform of the Department of Defense's "administrative" investigative processes and we need it **now**.

Thank you for your engagement in this matter.

Respectfully,



RYAN SWEAZEY
President and Founder
Walk the Talk Foundation



FRANCESCA A. GRAHAM
Adviser
Walk the Talk Foundation

6 Enclosures:

1. Administrative Investigation Process Discussion
2. Expansion on Six Major Themes
3. About the Walk the Talk Foundation
4. Case Study Summaries - Not included in Public Release version
5. Terms of Reference, Glossary, Assumptions
6. Petition - Creation of Independent IG - Signatures not included in Public Release version

Distribution:

United States Congress

Members of the U.S. Senate Homeland Security and Government Affairs Council (HSGAC)

Members of the U.S. Senate Council of Inspectors General on Integrity and Efficiency (CIGIE)

Members of the U.S. Senate Armed Services Committee (SASC)

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Members of the U.S. Senate Committee on the Judiciary (JUD)

Members of the U.S. Senate Select Committee on Intelligence (SSCI)

Members of the U.S. Senate Committee on Veterans' Affairs (SVA)

Members of the U.S. Senate Committee on Finance (SFC)

Members of the U.S. House Armed Services Committee (HASC)

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Secretary of the Marine Corps

Secretary of the Air Force

Secretary of the Space Force

Chairman of the Joint Chiefs of Staff

Chief of Staff of the Army

Chief of Naval Operations

Commandant of the Marine Corps

Chief of Staff of the Air Force

Chief of Space Operations

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Veterans Affairs Administration
Secretary of Veterans Affairs
Deputy Secretary of Veterans Affairs
Attorney General
Equal Employment Opportunity Commission
Office of Management and Budget
Government Accountability Office

Enclosure One: The Most Un-American Process in America - The Department of Defense's Military Administrative Investigation

When many hear the term “administrative,” they erroneously believe the potential resultant impact of the proceeding to be insignificant. In the Department of Defense's (DoD) military services nothing could be further from the truth. Service members can and have suffered irreparable lifelong personal and professional harm as a result of these administrative processes.

Members of the military can have their security clearance suspended or revoked, be denied assignment consideration and/or promotions, and can even be dismissed from the military under an Other Than Honorable (OTH) categorization, thus negatively impacting in perpetuity their future employment opportunities. To illustrate this point, see Table One contrasting rights afforded to criminals in the civilian system (6th Amendment, e.g.) and rights **not** afforded to honorably-serving service members undergoing an administrative investigation (whether as a complainant or subject):

6th Amendment & Brady Rights	Applicability to Military Administrative Investigatory Process	
	Yes/No	Explanation
Right to a speedy public trial	No	No Title 10 mandated timeline; military not held accountable for exorbitant delays
		No transparency; reports and findings obfuscated from the complainant, subject, and the public
Right for an impartial jury	No	The command adjudicates cases, playing the role of judge, jury, prosecution, and police; subjecting it to undue influence and corruption
Right to have compulsory process for obtaining witnesses in the defense's favor	No	Investigators many times pick and chose facts, documents, and witnesses to fulfill a foregone conclusion / narrative
Right to have the assistance of counsel for the defense	No	Zero representation or counsel provided to complainants who are left to fund their own counsel
Right to be informed of the nature and cause of the accusation	No	Subjects are afforded no information beyond the allegations against them, thus handicapping any potential defense
Right to be confronted with the witnesses against them	No	Subjects are not afforded this right, allowing for frivolous / slanderous complaints
Right to disclose material, exculpatory information in the government's possession to the defense	No	No discovery; final report is provided only via FOIA years afterwards and heavily / overly redacted, rendering it useless

Table One: Applicability of the 6th Amendment and Brady Rights to the Military Administrative Investigatory Process

The above juxtaposition shows the dangerous lack of rights and due process a member of the military is afforded. These facts coupled with the fact that the potential personal and professional damage from these proceedings can be, and many times are, irrevocable, leads us to one unalienable conclusion: our honorably-serving men and women in uniform are entirely vulnerable to the potential depredations of immoral and/or unethical organizational leadership.

We argue that these men and women, American citizens, are entitled to far more. It is unconscionable that an honorably-serving member of our military can have their lives ruined because of the lack of due process afforded by our DoD's administrative investigation process; a system which is woefully lacking in oversight and necessary checks and balances. When entering military service, American citizens are prepared to sacrifice much for their country - those sacrifices should not include the sacrifice of their legal rights which our Constitution affords every American citizen.

Enclosure Two: Expansion on Major Themes and the Abuses They Engender

An Irrevocable Trust Gap - How Service Members See the DoDIG System.

“The DoD has demonstrated it can no longer be trusted to police itself. When honor and integrity become punch lines and lawlessness abounds, it is time for accountability to come from without.”

- C.K., petition signer

We assert, well beyond a preponderance of the evidence, that most American service members familiar with the DoDIG system now view it as simply another entity in place to protect the military institution from positive change and insulate its leaders from true accountability. Through the review of hundreds of cases and/or witness accounts, we argue that the current design of the DoDIG system engenders the following abuses:

1. Inspectors General (IG) and commander-appointed investigating officers (IO) enter into investigations with foregone conclusions and subsequently pick and choose facts, documents, and witness accounts to support those conclusions.
2. Investigations - scope, timing, etc. - can be heavily influenced by a chain of command when that chain is motivated/incentivized to suppress the truth.
3. Filing a complaint, especially against managers/leaders of the military institution is an “all-risk, no reward” proposition for the complainant, given the low likelihood of substantiation married with the high likelihood of institutional retribution for having reported.
4. The IG system can out-wait a complainant or subject and/or stall an investigation at will, knowing the complainant and subject have no recourse given the lack of mandatory timelines for the completion of investigations.
5. Regardless of the outcome, the likelihood that there will be timely justice / accountability served is extremely low.

These abuses lead to a steep decline of trust in the IG system, specifically as it relates to complaints and the perceived handling thereof.

After investing thousands of hours into advisement, research, and case study, we have arrived at the following six major themes that create and/or sustain the environment wherein these abuses exist and have caused the unmitigated failure of the DoDIG system: a lack of due process and transparency throughout the entire investigative process, hierarchically-derived conflicts of interest, inadequate training of personnel assigned to conduct IG investigations, lack of investigation timeliness, a link to the military suicide and mental health crisis, and a culture of normalized deviance.

These themes which we have arrived at are not merely based on speculation or anecdotal evidence, but come from a unique perspective as not only former Inspectors General, command-appointed investigating officers, but also as advisors with the non-profit Walk the Talk Foundation – a one-of-a-kind organization that has advised over 400 current and former uniformed service members as they have navigated through their own administrative investigative process.

Theme One: A Lack of Due Process and Transparency Throughout.

“An investigator should be an unbiased 3rd party.
Not one who favors a specific side coming into the investigation.”

- B.H., petition signer

Of all the factors which have created the significant trust gap we see now vis-à-vis the DoDIG system, lack of transparency is the #1 contributing factor, we argue. Once an IG investigation begins, complainants and subjects are afforded little to no transparency. Investigators tend to be extremely opaque, that opacity only bested by the final report, which is not provided to the complainant. Instead, it is typical for complainants to receive an ambiguously-worded notification of Report of Investigation (ROI) which, in many instances we have seen, does not adequately address the allegations and/or the reasons for the investigators’ substantiation or lack thereof. The complainant is then forced to initiate a Freedom of Information Act (FOIA) request of their own accord, waiting even longer (in many instances for years) for a redacted copy of the ROI; a product which, due to redactions (many times overly so), as well as lack of timeliness, gives them almost no chance of timely appeal. The result is a significant trust deficit of the DoDIG system which results in deterring personnel from reporting wrongdoing.

This deterrence has a twofold effect. First, and perhaps most obvious, is the impact on the individual – when the system that purports to provide an independent avenue of recourse does not meet this obligation, that complainant or subject becomes disenfranchised, which can have longer-term first and second-order effects on retention and recruiting. Second, deterring service members from reporting avails our military of unnecessary risks. You will read in subsequent case studies summaries how members of the military identified risks to our national security by reporting wrongdoings. By deterring would-be whistleblowers, the dysfunction of the IG system now encourages de facto complicity, as the individual is markedly more incentivized to by-stand than to report an issue which may manifest itself later with grave consequences.

Theme Two: Conflicts of Interest Due to Inspectors' General and Command Appointed Investigating Officers' Subordination to Commanders.

“The conflict of interest is absolutely real. We cannot rely on the DoD to self-regulate. They’ve proven they will only provide top cover for any serious concerns that are clearly articulated by service members.”

- J.H., petition signer

Structurally, Inspectors General and command-appointed IOs are subordinate to the commander of the organization they are responsible for overseeing. This fundamental flaw introduces a palpable conflict of interest for IGs/IOs, who many times have to choose between loyalty to their duty to report the truth and loyalty to themselves and/or their careers. Naturally, many opt for the latter at the cost of unbiased, just, and timely investigations. The result is the perceived or real notion that IGs and command-appointed IOs, instead of being independent watchdogs / investigators, are simply the chain of command’s lapdog. Further, the general perception is that the outcome of any investigation will be heavily impacted (when not discarded/dismissed) by an IG/IO’s superiors.

It is also important to acknowledge here an external factor which comes into play: the current culture in our Armed Services which rewards leaders and managers who maintain “good order and discipline” in their ranks, more accurately: who maintain the **perception** thereof. It is here where one finds many roots of why commanders in today’s military are so motivated to suppress the truth: to allow the image of one’s organization to be tainted in any way is often not career-progressive for that leader. The natural outcome of these forces is the desire to suppress derogatory findings and/or contort them so as to not reflect poorly on the organization’s leadership. An IG or IO who is subordinate to a commander makes for the perfect bedfellow with this convenient symbiotic relationship: an apparent “independent” entity which a commander can influence with near complete impunity.

Theme Three: Inadequate Training of Inspectors General and Command Appointed Investigation Officers.

“Far too often investigations are the result of political targeting or run of the mill incompetence...but it is the subject of the investigation alone who routinely suffers the consequences — while morally corrupt/inept leaders who underwrote or were complicit in the unjust/unwarranted/baseless investigations are never held to account.”

- J.B., petition signer

Many personnel who work in Inspector General offices have received only rudimentary (some as little as 5 days) training to conduct their work. In fact, some detailed out to conduct administrative investigations such as commander-appointed IOs, receive

training measured in hours or merely a memo with instructions from the commander's Judge Advocate General (JAG). In a review of our cases, we found that many investigators fail to adhere to Department of Defense Instructions (DoDI) guiding the proper conduct of investigations. Specifically, they failed to vet all evidence appropriately, they failed to weigh the evidence correctly, and they failed to properly apply the standard of proof of "preponderance of the evidence." In the majority of cases reviewed, in fact, Inspectors General/IOs did not apply the standard of preponderance of the evidence correctly in that they either:

1. Disproportionately assigned the weight of evidence to slant one way or the other;
2. Entered into the investigation with a bias which had already "tilted the scale" one way or the other;
3. Approached the investigation not to gather all pertinent facts, but rather with the apparent task of selecting those which either affirmed or rebuked a specific finding.

In any case, it was clear that the "scales of justice" in these investigations were not equally balanced. The result is that complainants and subjects are not afforded their entitled due process and commanders are presented with an incomplete picture from which they must make decisions.

Theme Four: Lack of Timeliness in Investigations.

"This system is corrupt and provides zero oversight or accountability.
Its mere existence is fraud, waste, and abuse."

- A.F., petition signer

There is no statutorily-mandated timeline for the completion of an IG investigation. This significant shortcoming of the system has several side effects, to include: unnecessarily-delayed closure for complainant(s) and subject(s); the very low likelihood that even in the rare instance of a substantiation, the victim would be able to receive meaningful restitution; significant impacts on the victim's psychological and emotional well-being. The result is a general perception that Inspectors General and/or commanders can stall investigations to out-wait complainants if deemed to be in the interest of the IG office and/or chain of command.

At an approximate cost of \$362 million in 2022, the American taxpayer is not exempt from bearing a burden from unjustly and/or unduly long administrative investigations. Table Two is a quick look at potential costs to the taxpayer for an investigation that takes six months. See Enclosure Five for assumptions used to build Table Two.

	Month 1	Month 2	Month 3	Month 4	Month 5	Month 6	By-Person Total
Subject (O3)	\$180.71	\$180.71	\$180.71	\$180.71	\$180.71	\$180.71	\$1,084.28
Complainant (O3)	\$180.71	\$180.71	\$180.71	\$180.71	\$180.71	\$180.71	\$1,084.28
IG/IO (O4)	\$271.38	\$271.38	\$271.38	\$271.38	\$271.38	\$271.38	\$1,628.27
JAG (O3)	\$180.71	\$180.71	\$180.71	\$180.71	\$180.71	\$180.71	\$1,084.28
Enlisted Advisor (E9)	\$215.95	\$215.95	\$215.95	\$215.95	\$215.95	\$215.95	\$1,295.72
Commander (O5)	\$337.47	\$337.47	\$337.47	\$337.47	\$337.47	\$337.47	\$2,024.83
Commander (O6)	\$250.28	\$250.28	\$250.28	\$250.28	\$250.28	\$250.28	\$1,501.71
Six Month Investigation Total							\$9,703.35
37,383 Service Members Subject to NJP IN 2022 - Approximate Cost to Taxpayers							\$362,740,336.41

Table Two: Approximate Annual Cost to American Taxpayers for DoD Military Administrative Investigations

Theme Five: Link to the Military Suicide and Mental Health Crisis.

“I have seen firsthand the devastation, hurt, and loyalty lost by victims as they are traumatized by poorly executed investigations and leaders' abuse of power.”

- C.W., petition signer

There is an undeniable and inextricable link between the current mental health epidemic in the military^{1 2} and its lacking systems of justice and redress. When a service member is not afforded the rights and protections they were promised, the vicious “moral injury spiral” begins. The Department of Veterans Affairs defines moral injury thusly:

In traumatic or unusually stressful circumstances, people may perpetrate, fail to prevent, or witness events that contradict deeply held moral beliefs and expectations (1). When someone does something that goes against their beliefs this is often referred to as an act of commission and when they fail to do something in line with their beliefs that is often referred to as an act of omission. **Individuals may also experience betrayal from leadership, others in positions of power or peers that can result in adverse outcomes** (2). Moral injury is the distressing psychological, behavioral, social, and sometimes spiritual aftermath of exposure to such events (3). A moral injury can occur in response to acting or witnessing behaviors that go against an individual's values and moral beliefs.³

Administrative investigations under the U.S. military's current construct meet the definition of moral injury many times over. These investigations demonstrate the DoD's

¹ Department of Veterans Affairs 2023 Annual Suicide Report available at <https://www.mentalhealth.va.gov/docs/data-sheets/2023/2023-National-Veteran-Suicide-Prevention-Annual-Report-FI-NAL-508.pdf>.

² CNN article concerning increase in U.S. military suicide rate available at <https://www.cnn.com/2021/09/30/politics/military-suicide-report/index.html>.

³ Department of Veterans Affairs definition of Moral Injury available at https://www.ptsd.va.gov/professional/treat/cooccurring/moral_injury.asp.

tangible betrayal of trust vis-à-vis the individual service member. Our profession of arms professes the high morals of loyalty, courage, and duty, and holds its members accountable when they do not conduct themselves in accordance with that moral code. Sadly, and quite hypocritically, administrative investigations, especially those conducted within the DoDIG system, mirror the antithesis of those values when its processes are corrupted, the truth perverted, and when true justice is denied. The emotional and psychological impacts that a service member endures when they are denied the due process and rights they were promised by our Department of Defense and which should be afforded to them as American citizens cannot be overstated.

Further, compounding the emotional and psychological effects of the members' resultant moral injury is time. As investigations languish, often unnecessarily or deliberately so, the victim / complainant / subject of an IG/commander-appointed IO investigation lives in a psychological limbo of sorts, forced to live and to re-live events as the process stalls or outright ceases. Due to the lack of statutory timelines for these investigations, the victim / complainant / subject are left in this anguished limbo for potentially months if not years.

Finally, as discussed previously, the resultant “by-stander culture” encouraged within today’s military where service members are deterred from reporting wrongdoing and abuses, allows for continued and unchecked traumas to be inflicted upon service members. If a system were in place through which our military members could report abuses in an environment free from retribution and reprisal, there is no doubt that our ongoing suicide and mental health crisis would be a fraction of what it is today.

Theme Six: Normalization of Deviance and Disregard for the Rule of Law.

“The DOD IG system is fatally corrupt, refuses to follow law and regulation, and is simply used as a tool to cover up for misconduct within the chain of command. The IG system is merely a facade, to mislead Service Members and the American Public that leadership can be held accountable - the epitome of abuse of power.”

- J.S., petition signer

Normalization of deviance is a term first coined by sociologist Diane Vaughan when reviewing the Challenger disaster. Vaughan noted that the root cause of the Challenger disaster was related to the repeated choice of NASA officials to fly the space shuttle despite a dangerous design flaw with the O-rings. Vaughan describes this phenomenon as occurring when people within an organization become so insensitive to deviant practice that it no longer feels wrong.⁴ Once that group begins to accept deviations from rules, regulations, and law (no matter how seemingly insignificant) it inevitably and insidiously leads to a culture of complicit acceptance.

⁴ Diane Vaughan’s article available at <https://pubmed.ncbi.nlm.nih.gov/25742063/>.

Within Title 10, there is a stipulation that a member, after having filed a complaint of reprisal, is to be notified in writing of the status of that investigation every 180 days.

From Title 10 U.S. Code § 1034 - Protected Communications; Prohibition of Retaliatory Personnel Actions:

- A. “Not later than 180 days after the commencement of an investigation of an allegation under subsection (c)(4), and every 180 days thereafter until the transmission of the report on the investigation under paragraph (1) to the member concerned, the Inspector General conducting the investigation shall submit a notice on the investigation described in subparagraph (B) to the following:
 - a. The member.
 - b. The Secretary of Defense.
 - c. The Secretary of the military department concerned, or the Secretary of Homeland Security in the case of a member of the Coast Guard when the Coast Guard is not operating as a service in the Navy.”

In a review of our cases, IGs at all levels consistently violated this law, oftentimes never notifying the member of the status of the case until closure. While arguably a relatively minor infraction, and one that likely has little bearing on the outcome of the investigation, this anecdote provides a clear and irrefutable indicator of the DoDIG system’s willingness to disregard the rule of law. In short, the brazen disregard for Title 10 is indicative of a more widespread normalization of deviance occurring within our DoDIG system. The manifestation of this culture is that Inspectors General arbitrarily apply other laws, rules, and regulations as they see fit, to include frequently violating their own Department of Defense Directive 7050.06 as well as their Administrative Investigation Manual. Such examples of frequently violated practices include:

From the DoDIG Administrative Investigations Manual:

- A. 1.5.3.2 Execution. Investigations must be conducted in a timely, efficient, thorough, and legal manner. The investigator is a fact-gatherer and **should not allow conjecture, unsubstantiated opinion, or bias to affect this work.** The investigator also has a duty to be receptive to evidence that is non-incriminating as well as incriminating.
- B. 2.2.2 Definitions.
 - a. 2.2.2.3 Investigation. The investigative activity and steps to **ensure that allegations are thoroughly and objectively resolved.** Investigations include interviewing complainants, witnesses, and subjects; collecting documentary and other evidence; and documenting findings and conclusions in written reports that have been found legally sufficient.

- C. 3.1.2.2 Standards/Statutory Authorities. Investigators need to thoroughly research and understand the applicable laws, rules, or regulations early in their investigation planning. This means not only understanding which particular standard applies, but also **understanding the applicable language in the standard that needs to be proved or disproved (elements of proof) for a violation to have occurred.**

These clear infractions of U.S. law and DoD guidance must then beg the question: if our own Department of Defense Inspectors General are so willing to disregard the rule of law because it has become the cultural norm, what other policies, regulations, and laws are they willing to violate? And, furthermore, what costs do these infractions bring to the individual service member?

“We need transparency and equal military justice for all.”

- L.S., petition signer

Enclosure Three: About the Walk the Talk Foundation

Founded in January 2022, the Walk the Talk Foundation was established to aid, assist, and advise current and former members of the U.S. military as they navigated the treacherous waters of administrative investigations. Its founder and president, Ryan Sweazey, Lt Col, USAF (retired) is no stranger to the shortcomings of the DoDIG system.



A 1999 graduate of the Air Force Academy, Ryan “Count” Sweazey served in the active duty Air Force until his retirement in 2022. As an F-16 pilot, he served in five operational / test flying assignments, logging over 1,500 sorties in the F-16 and T-38. In 2010, he was designated as a Regional Affairs Strategist for Western Europe, later being selected in 2021 as the Air Force’s only fighter pilot Foreign Area Officer. Sweazey served over 14 years overseas including assignments to Japan, South Korea, Germany, Italy, and Iraq. He holds an Associates Degree in German, a Bachelor of Science Degree in Computer Science, an MBA, and is a graduate of the German Command and Staff College, the Führungsakademie der Bundeswehr.

Sweazey served as an Inspector General in the Air Force from 2013-2016 where he witnessed the numerous shortcomings of the Department of Defense Inspector General system. Later, while assigned to the Defense Intelligence Agency (DIA) from 2017-2020, he again experienced firsthand the rampant dysfunction of the DoDIG system as his and dozens of others’ IG complaints fell through the cracks of an ineffective and corrupt organization. During that time, Sweazey collated over 70 witness statements and produced a report to Congress highlighting the systemic failings of both DIA and the DoDIG system.⁵ This report would serve to be the centerpiece of a February 2022 article by the Wall Street Journal⁶ which brought attention to the breadth and depth of corruption in our military avenues of recourse, culminating with the passage of the 2023 Intelligence Authorization Act.⁷

In January 2022, Sweazey launched the nonprofit Walk the Talk Foundation, whose mission is twofold: bringing about substantive change to an IG system in dire need of repair, while advising and assisting victims navigating the treacherous waters of whistleblowing in the military.

The Walk the Talk Foundation’s functions center around two main activities: advisement and advocacy. In its advisory capacity, the Foundation provides advice and guidance to

⁵ Defense Intelligence Agency Toxicity report to Congress available at <https://walkthetalkfoundation.org/wp-content/uploads/2022/03/Intro-Toxicity-in-the-DAS-Addendum-1-22-March-2022.pdf>.

⁶ Wall Street Journal article concerning DIA Toxicity Impact on National Security available at <https://www.wsj.com/articles/workplace-harassment-undermines-pentagon-spying-in-europe-documents-say-11645272000>.

⁷ Walk the Talk Foundation summary of FY23 Intel Authorization Act changes relevant to DIA available at <https://walkthetalkfoundation.org/?news=house-and-senate-intel-committees-pass-iaa>.

subjects and complainants who are undergoing administrative investigations, such as those from the Inspector General or commander appointed investigating officer. Their team of advisors walk clients through the oftentimes burdensome and confounding process of the complaint, ensuring the highest likelihood of success possible.

Within the regime of advocacy, the Walk the Talk Foundation actively lobbies the Congress while working in conjunction with a myriad of other advocacy groups to achieve the objective of positive, substantive reform to the military's systems of redress such as the Inspector General system.

In less than two and a half years in operation, the Walk the Talk Foundation has counseled and advised over 400 service members; a statistic that undisputedly highlights the incredible demand that service members have for real change and real reform.

Enclosure 4 - Case Studies (pp 19-27) not included in Public Release Copy

Enclosure Five: Terms of Reference, Glossary, and Assumptions

Terms of Reference

DoDIG System: Includes the office of the DoDIG itself, its subordinate major IG offices (Army, Air Force IG, etc.), and commander-appointed Investigating Officers (IO) tasked with investigating IG and/or EO matters.

Glossary

BG	Brigadier General
CIGIE	Council of Inspectors General on Integrity and Efficiency
CNGB	Chief, National Guard Bureau
CPO	Chief Petty Officer
CW3	Chief Warrant Officer Three
CW4	Chief Warrant Officer Four
DAS	Defense Attaché Service
DIA	Defense Intelligence Agency
DoD	Department of Defense
DoDI	Department of Defense Instruction
DoDIG	Department of Defense Inspector General
E-6	Staff Sergeant (Army and Marine Corps), Petty Officer First Class (Navy), Technical Sergeant (Air Force and Space Force)
E-7	Sergeant First Class (Army), Gunnery Sergeant (Marine Corps), Chief Petty Officer (Navy), Master Sergeant (Air Force and Space Force)
E-9	Sergeant Major (Army), Master Gunnery Sergeant (Marine Corps), Master Chief Petty Officer (Navy), Chief Master Sergeant (Air Force and Space Force)
EO	Equal Opportunity
FOIA	Freedom of Information Act

GOMOR	General Officer Memorandum of Reprimand
GS	General Schedule
G-RAP	Guard-Recruiting Assistance Program
HAC	U.S. House Appropriations Committee
HASC	U.S. House Armed Services Committee
HBC	U.S. House Committee on the Budget
HFC	U.S. House Financial Services Committee
HIPAA	Health Insurance Portability and Accountability Act
HJC	U.S. House Committee on the Judiciary
HPSCI	U.S. House Permanent Select Committee on Intelligence
HOS	U.S. House Committee on Oversight and Accountability
HSC	U.S. House Homeland Security Committee
HSGAC	U.S. Senate Homeland Security and Government Affairs Council
HSVA	U.S. House Committee on Veterans' Affairs
HWMC	U.S. House Ways and Means Committee
IG	Inspector General
IO	Investigating Officer
JAG	Judge Advocate General
JUD	U.S. Senate Committee on the Judiciary
LOD	Line of Duty
NGB	National Guard Bureau
O-3	Captain (Army, Air Force, Marine Corps, Space Force), Lieutenant (Navy)
O-4	Major (Army, Air Force, Marine Corps, Space Force), Lieutenant Commander (Navy)

O-5	Lieutenant Colonel (Army, Air Force, Marine Corps, Space Force), Commander (Navy)
O-6	Colonel (Army, Air Force, Marine Corps, Space Force), Captain (Navy)
OTH	Other Than Honorable Discharge
RAR	Religious Accommodation Request
ROI	Report of Investigation
SAC	U.S. Senate Committee on Appropriations
SASC	U.S. Senate Armed Services Committee
SARC	Sexual Assault Response Coordinator
SBC	U.S. Senate Committee on the Budget
SFC	U.S. Senate Committee on Finance
SSCI	U.S. Senate Select Committee on Intelligence
SVA	U.S. Senate Committee on Veterans' Affairs
USAF	United States Air Force
WTF	Walk the Talk Foundation

Assumptions

Table Two: Assumptions factored into these numbers include:

1. An administrative investigation will take approximately six months;
2. The bare minimum of personnel involved in an administrative investigation include the subject, complainant, an IG/IO, a JAG, an enlisted advisor, and two levels of commanders;
3. The subject, complainant, and JAG are O-3's with over three years of service;
4. The IG/IO is an O-4 with over ten years of service;
5. The senior enlisted advisor is an E-9 with over 15 years of service;

6. The first level commander is an O-5 with over 18 years of service;
7. The second level commander is an O-6 with over 24 years of service;
8. The subject through the O-5-level commander invested at least five hours per month into the investigation;
9. The O-6-level commander invested at least 3 hours per month into the investigation;
10. An administrative investigation preceded the over 30,000 service members subject to non-judicial punishment (2022 data).

Enclosure Six: Full Petition - Creation of an Independent Inspector General for the Department of Defense

“As a proud American citizen and Veteran supporter I am signing out of an abundance of concern for our military servicemen and women.”

-K.R., petition signer

Taken from Change.org petition site -

<https://www.change.org/p/creation-of-an-independent-inspector-general-outside-of-the-dod>

Creation of an Independent Inspector General outside of the DoD



Started November 11, 2023
Petition to [U.S. Senator Gary Peters](#) and [1 other](#)

Why this petition matters

Started November 11, 2023
Petition to [U.S. Senator Gary Peters](#) and [1 other](#)
Why this petition matters

Started by [Ryan Sweazey](#)

The DoD IG system consistently fails in its role to protect military members from reprisal and fails to impartially investigate complaint allegations which are brought forward at high risk by members of the DoD. **Join us in demanding that the United States**

2,036

Signatures

Support now



Creation of an Independent Inspector General outside of the DoD

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Congress disband the DoD IG and create a new Inspector General wholly independent from the Department of Defense.

As advocates for service members who have served anywhere from 3 to 30+ years in the military, we've helped hundreds of people who have suffered from a **corrupt, often apathetic, and sometimes even abusive Department of Defense Inspector General system.**

After over two years of advocacy for over 300 members of the DoD who are victims of numerous violations of federal law, DoD policy, and service regulations, we conclude the following:

1. Personnel assigned to positions in IG billets are inadequately trained/equipped to carry out their duties;
2. IGs within the DoD cannot exercise true independence since they are nearly always subordinate to the commander of the organization they oversee, and,
3. Due to the low likelihood of success married with the high personal/professional risk a complainant assumes, there is veritably zero incentive to file an IG complaint.

Not only are there no incentives to file IG complaints, in fact, the risks of seeking justice through the IG as currently organized as a subordinate element within the DoD far outweigh any potential benefits. **These risks include reprisal and retaliation, ostracism, a total violation of one's personal and professional privacy, isolation, embarrassment, and deteriorating physical and mental health.**

Because the body charged to inspect the DoD is a subordinate element in the DoD, perpetrators are not held accountable and, more importantly, no substantive recompense is afforded to victims. Even in the rare circumstances in which an allegation is substantiated, the amount of time required for that substantiation (in many cases, years after the offense) means that no meaningful recompense can be offered.

United States Congress: We know you care about your uniformed Service Members; it is now time to demonstrate that care! No one who serves in the United States Military should fear to file a complaint if they have been a victim of a crime, harassment, bullying, abuse, etc.

Sign now to demand that the United States Congress protect United States Service Members.

Petition signatures (pp 34-81) not included in Public Release Copy