

21 Oct 2018

MEMORANDUM FOR: Secretary of the Air Force Inspector General
Department of the Army Inspector General

SUBJECT: Complaint on supervisor failure, rank inversion and extensive abuses by senior leadership

My complaint is two-fold: first for maltreatment by my supervisor and chain of command with an unknown impact on my career future and second to bring the extensive abuses and maltreatment of the Wyoming Military Department (Air and Army National Guard) troops at the hands of Generals and Colonels to the attention of SAF/IG and DAIG. The Adjutant General, MG K. Luke Reiner is WY Army National Guard.

Due to my career assignments in Equal Opportunity (7 years), Alternate Sexual Assault Response Coordinator (4 years) and Inspector General (3 years), I have been a witness to extensive levels of retaliation within the Wyoming Military Department. The level of fear that exists within the Wyoming Military Department is immense, and I have waited until I transferred to the Air Force Reserves to voice my concerns purely out of fear of what the senior leaders within the Army and Air National Guard would do as retaliatory measures against me. I still fear my career, next promotion and retirement benefits could be negatively impacted.

In the years leading up to my transfer, I was a strong advocate for a host of individuals that had experienced sexual assault, gender discrimination and other abuses at the hands of senior ranking individuals. I routinely raised my concerns to the highest levels of my chain of command, to include The Adjutant General, Major General K. Luke Reiner. (Doc B with BG K. Wright and Doc F with Col Lyman and MG Reiner, April 2016- evidence that I spoke with senior leadership.) I advised on the status of climate assessments that indicated a toxic environment existed.

I advised on the neglect of appropriate promotion processes, which resulted in female promotions (at every level of rank) to be delayed in comparison to their male counterparts. I advised senior leadership on the lack of appropriately trained EO/EEO officials, and the negative impact that has had on the organization as a whole. I routinely advised General Reiner on my concerns as professional officer and as a leader charged with caring for those serving with me. My recommendations were ignored.

Toxic leadership was the reason for my transfer after 17 years of service in the Wyoming Air National Guard.

For clarification or further questions, please contact me at [REDACTED] or on my cell at [REDACTED]

Respectfully,

MARILYN K. BURDEN, Maj, USAFR
310 SW/FSS

There is a pattern of women not having a "voice" and not being respected in the Wyoming Military Department under MG K. Luke Reiner's command.

Allegations

1. Due to extensive retaliation I've witnessed at the Wyoming Military Department (WYMD), Air & Army National Guard, I waited until my transfer to the Air Force Reserves was completed prior to filing this complaint. Effective date – 13 Jun 18.

2. In all honesty, I feel nothing will be done with this complaint and the evil that presides within the Wyoming Military Department will continue. (I filed with DOD/IG in 2014 over a missing sexual assault case file after the victim committed suicide and nothing happened.) I am filing because I am the only one with my combination of skills (Counseling, Chaplaincy internship, Equal Opportunity, Sexual Assault Response Coordinator and Inspector General) and it is my responsibility. In order for the corruption to stop, someone from outside the state will need to take corrective actions and remove multiple corrupt leaders from the organization. What happened in Alaska needs to happen in Wyoming. (Statewide investigation to compile evidence in order to remove/retire multiple senior leaders, both officer and enlisted.) [*AFI 1-1-1.7.4.6.2. The Air Force Complaints System. Under the Air Force Complaints Resolution Program, a member has the right to present a complaint without fear of reprisal. This right is ensured in Public Law and codified in DoD and Air Force guidance directives and instructions. Continued...a member has the responsibility to report fraud, waste, abuse, or gross mismanagement; a violation of law, policy, procedures, instructions, or regulations; an injustice; and any abuse of authority, inappropriate conduct or misconduct through appropriate supervisory channels or the IG.*]

12. MG K. Luke Reiner, the Adjutant General, (Army National Guard) allows his command and organizational climate to be hostile and discriminatory. He inherited and perpetuated a command climate of "Good 'Ole Boys". [*AR 600-20: 6-1 Purpose: The EO Program formulates, directs, and sustains a comprehensive effort to maximize human potential and to ensure fair treatment for all persons based solely on merit, fitness, and capability in support of readiness. EO philosophy is based on fairness, justice, and equity. Commanders are responsible for sustaining a positive EO climate within their units. Specifically, the goals of the EO program are to – a. Provide EO for military personnel and Family members, both on and off post and within the limits of the laws of localities, states, and host nations. b. Create and sustain effective units by eliminating discriminatory behaviors or practices that undermine teamwork, mutual respect, loyalty, and shared sacrifice of the men and women of America's Army.*]

13. Under MG Reiner's leadership, the Department of Justice found that Wyoming Military Department condones sexual harassment. The complainant was awarded 6+ years back pay totaling over \$220,000. Most disturbing is senior leadership's response has been indifference or denial, still not taking the issues of sexual harassment and gender discrimination serious.

14. Gender discrimination is evident across the Wyoming Military Department due to command climate and “good ‘ole boy” culture. The State Equal Employment Manager, Army Master Sergeant (MSG) Charles Olivas has a list of 8 women in the Air Guard (Officer & Enlisted) who have had their promotions denied or delayed which have come to his awareness in the past 18 months and he is unable to link it to one or a few commanders. I am aware of two (2) additional women who have experience promotion delays. It is the culture of the organization encouraged and allowed by General Reiner. MG Reiner says all the right things and his actions conflict with his words. *[AR 600-20 6-2: (3) Equal opportunity. The right of all persons to participate in, and benefit from, programs and activities (for example, career, employment, educational, social) for which they are qualified. These programs and activities will be free from social, personal, or institutional barriers that prevent people from rising to the highest level of responsibility possible. Persons will be evaluated on individual merit, fitness, and capability, regardless of race, color, sex, national origin, or religion. (4) Gender discrimination. The action taken by an individual to deprive a person of a right because of their gender. Such discrimination can occur overtly, covertly, intentionally, or unintentionally.]*

16. Failure of all Senior Leadership (O6+) to recognize poor command climate is indicated by the following: (Air National Guard)

- Low end strength (10 + years of consistent 90-92% in spite of increased recruiting efforts – 13 recruiters hired)
- Current retention rate 80.19% (as of Sept 18)
- High transfer and retirement rates • High attempted suicide rate (3 suicides - 1 of which the Airman stabbed his wife, 2 sons, age 3 & 5 and his father-in-law, leaving them for dead and then committed suicide, 10 attempts & 60 motivations in 4 years- Per Jenny Rigg - Director of Psychological Health for the 153d Airlift Wing)
- High rate of Inspector General and Equal Opportunity (14 complaints in one year - Army/Air - MSG Olivas, SEEM) complaints and advice sought
- Low retention rate of members who complete an ADOS or MPA tour outside WYMD (Col Herder once mentioned people who take ADOS & MPA tours don’t return.) Members discover they are valued & appreciated more in other units.
- Complaints on hiring boards and process, there are times the “buddy” is hired rather than “the most qualified”. Reports of complaints being easily dismissed.
- Institutional Gender discrimination (slower promotion for women to higher enlisted & officer ranks).
- Promoting and sending toxic officers to Professional Military Education (PME) in residence, setting them up to be Colonels anywhere in the country when they should be forced to retire – this has happened with the worst two commanders.

17. Toxic, power hungry people, who were highly ineffective in Senior Leaders (Officer and Enlisted) positions, are now being hired into Title 5 civilian positions once they retire. These are the same people who created and cultivated the negative command climate. There used to be some hope that it would get better because the bad people would eventually retire. But they continue their “reign of terror” as civilians. Instead of filling the positions with up and

coming leaders and using the Title 5 positions as an opportunity to grow and develop the next generation. It is also Fraud, Waste and Abuse of taxpayer money.

An example is a retired AGR Colonel with 24+ years receives \$75,000+ in retirement pay which doesn't include any additional disability benefits he/she may receive, at least one (retired Col Pete Linde) has been hired into the wing executive officer slot, GS 12 slot which starts at \$73,000/year salary. [1.7.4.6.2. *The Air Force Complaints System. Under the Air Force Complaints Resolution Program, a member has the right to present a complaint without fear of reprisal. This right is ensured in Public Law and codified in DoD and Air Force guidance directives and instructions. Continued...a member has the responsibility to report fraud, waste, abuse, or gross mismanagement; a violation of law, policy, procedures, instructions, or regulations; an injustice; and any abuse of authority, inappropriate conduct or misconduct through appropriate supervisory channels or the IG. (AFI 90-301, Inspector General Complaints Resolution).*]

Narrative

MG K. Luke Reiner, the Adjutant General (TAG), for the Wyoming Military Department, inherited and perpetuated a climate of "Good Ole Boys". Gender discrimination runs rampant across the state. The Department of Justice determined the Wyoming Military Department condones sexual harassment and awarded a complainant back pay in excess of \$220,000. The State Equal Employment Manager (SEEM), MSG Charles Olivas, has a list of 8 women that have spoken to him in the past 18 months that have had or are having issues with promotion. All are Field Grade Officers and Senior Non-Commissioned Officers (SNCO's) from the Air National Guard. There are at least two other Air Guard women who had issues with their promotions, Maj Tonya Moon and MSgt Heather Smith.

Army MG Reiner's comments to the Wyoming Tribune Eagle (WTE-front page) on 8 April 2018 conflict with his actions, "The commander of Wyoming's National Guard said Friday his department has done everything it can to address sexual harassment complaints during his tenure." MG Reiner was in violation of Army policy (Doc P) from 8 May 2012- 30 Sept 13 and in violation of the FY 14 National Defense Authorization Act (federal law) from 1 Oct 13 to Nov 2014, when he finally hired SFC Sheilah Fondren. From May 2012-Nov 2014, MSG Charles Olivas was the State Equal Employment Manager (SEEM) and the Sexual Harassment & Assault Response and Prevention (SHARP) program for the Wyoming Military Department. According to Jane Lux, former National Guard Bureau, Sexual Assault Prevention and Response Program Manager. (Doc O - Jane Lux.) One person managing both programs was a conflict of interest. MSG Olivas advised MG Reiner of this conflict and his recommendations were ignored.

My understanding was that National Guard Bureau funded a GS-11 SHARP position and MG Reiner used that position and funding for someone/something else. I planned to file an IG complaint on this in 2014/15 when I learned of this violation. However, Army CPT Allen Wald, former budget officer, told me that even if funding was earmarked for a specific program or purpose, the MG could use the position and funding as he saw fit to operate the

mission. I am not sure if this is true or if CPT Wald was trying to protect me from retaliation for filing an IG complaint against a Major General. CPT Wald and/or his wife, Denise Wald, Auditor for USPF & O, would be able to supply information on inappropriate financial transactions, if there are any. Additionally, MG Reiner's neglect regarding prevention of sexual harassment and sexual assault was evident when he failed to ensure Equal Opportunity staff was properly trained in the Wyoming Air National Guard. Three (3) 153d Wing Commanders (retired Col Dennis Grunstad, then Col Stephen Radar, now retired BG Rader, Col Michael Taheri, now MG Taheri at NGB) failed to send two successive captains (Capt Mike Knipper and Capt David Duckworth) to the Defense Equal Opportunity Management Institute within 18 months (ANGI 36-7) leaving the Equal Opportunity program with untrained officers from Nov 2011 to Feb 2016 and the NCOIC position was vacant from Jun '13- Nov '14. The untrained officers seriously inhibited TSgt Jessica Cordova, NCOIC, from properly doing her job.

MG Reiner made several comments to the Wyoming Tribune Eagle about additional training efforts. One comment was "the department took steps to increase training efforts." And "You have to train all elements of the system. ...Train first and then say, 'Hey, we're not going to do this.' Then what happens is to train people on what to do if does occur." (WTE pg A-2). My question is, how is this possible with no one DEOMI qualified to conduct training in the WY Air Guard? Another comment to WTE was, "But he said he's confident whatever problems existed with sexual harassment and assault are improving under his watch." (WTE pg A-2). And I ask, how is the command climate improving under his watch, when he allowed untrained captains to manage a program for 4.5 years? MG Reiner says issues are addressed as they come up. MG Reiner has ignored the issues I have brought to his attention and allowed those who file complaints to be ostracized by their chain of command. Retaliation being illegal doesn't seem to matter to MG Reiner. The article also states, "In the immediate aftermath of federal court's ruling, Mead (Governor) said he would have a conversation with Reiner as ongoing talks to address concerns associated with the matter....Mead's spokesman confirmed that conversation had taken place." (WTE pg A-2). Did MG Reiner lie, hide or fail to disclose the truth to his supervisor, Governor Matthew Mead?

In April 2016, I made the following recommendations to Col Paul Lyman (Wing Commander) and to MG K. Luke Reiner (Adjutant General): [COL Jessie Kirchmeier (former Army Chief of Staff), Maj Colin Hess, State IG and SFC Joseph Buckholz – state IG office, were witnesses to the conversation with MG Reiner.]

1) Identify toxic leaders and address their behavior (I was advised that I was not allowed to go on a "witch hunt" and list toxic leaders by name. I didn't.)

2) Teach NCO's, SNCO's and Officers empathy skills. (Giving someone administrative discipline the day they return from a funeral of an immediate family member is not leadership, it's emotional abuse.)

3) Have PACE (Profession of Arms Center for Excellence) come and teach "Enhancing Human Capital" course as it addresses everything that continues to come out in command

climate surveys since 2008 in one, 4-hour training session. All of my recommendations fell on deaf ears.

The Wing Chaplain, Chap/Lt Col Wade Jensen and Denise Rampolla, Airmen and Family Readiness program manager made the same recommendation; all of us separately and without knowledge that others had made the recommendation. It is my belief that it is in the best interest of approximately 3000 Soldiers, Airmen and Civilians that MG K. Luke Reiner retire in Jan 2019.