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Privacy Act Data Cover Sheet

DD FORM 2923, SEP 2010

UNITED STATES MARINE CORPS
COMBAT LOGISTICS REGIMENT 15
1ST MARINE LOGISTICS GROUP
BOX 555741
CAMP PENDLETON CA 92055-5741

5800
CO
18 2020

SECOND ENDORSEMENT on (b) (6) [redacted] ltr 5000-19 LEG dtd 12 Mar 20

From: Commanding Officer, Combat Logistics Regiment 15
To: Commanding General, 1st Marine Logistics Group

Subj: COMMAND INVESTIGATION IN THE CASE OF CLC-16 COMMAND CLIMATE

1. Forwarded for review and evaluation.

2. I concur with the Battalion Commander's recommendation to relieve (b) (6) [redacted] (b) (6) [redacted] due to lack of trust in confidence in his ability to lead. He did not show proper care for his Marines.

3. I concur with the Battalion Commander's recommendation to relieve Chief Warrant Officer 2 Lopez from his responsibilities as the executive officer.

4. No further investigation is warranted.

5. The point of contact for this matter is (b) (6) [redacted] Regimental Adjutant at (b) (6) [redacted] (b) (6) [redacted]

UNITED STATES MARINE CORPS
1ST MAINTENANCE BATTALION
COMBAT LOGISTICS REGIMENT 15
1ST MARINE LOGISTICS GROUP
BOX 55647
CAMP PENDLETON CALIFORNIA 92055-5647

IN REPLY REFER TO
5000-38
Legal
17 [illegible] 2020

FIRST ENDORSEMENT on (b) (6) [redacted] ltr 5000-19 LEG of 12 Mar 20

From: Commanding Officer
To: Commanding Officer, CLR-15

Subj: COMMAND INVESTIGATION IN CASE OF CLC-16 COMMAND CLIMATE

Ref: (a) JAG Manual, Section 0203
(b) SECNAVINST 5300.26D
(c) MCO P5354.1F

1. I do not concur with the investigating officer's first recommendation. (b) (6) [redacted] will be relieved of his command of CLC-16 due to my lack of trust in confidence in his ability to lead.

2. I concur with the investigating officer's second recommendation. CWO2 Lopez will be relieved of his responsibilities as executive officer.

3. I concur with the investigating officer's third recommendation and the newly appointed company commander and I will meet with CLC-16 to reiterate the battalion Marine Leader Development program.

4. This investigation will be forwarded to the 1st MLG EOA for evaluation.

5. No further investigation is warranted.

6. If you have any questions concerning this instigation, you are directed to contact (b) (6) [redacted] at (760)763-3560.

(b) (6) [redacted]

UNITED STATES MARINE CORPS
1ST MAINTENANCE BATTALION
COMBAT LOGISTICS REGIMENT 15
1ST MARINE LOGISTICS GROUP
BOX 555647
CAMP PENDLETON CALIFORNIA 92055-5647

IN REPLY REFER TO
5000-19
Legal
12 Mar 20

From: (b) (6) [redacted]
To: Commanding Officer

Subj: COMMAND INVESTIGATION IN CASE OF CLC-16 COMMAND CLIMATE

Ref: (a) JAGINST 5800.7 (JAGMAN), Chapter II
(b) Manual For Courts Martial (2019 ed.)
(c) Uniform Code of Military Justice (UCMJ)
(d) MCO 5354.1E

Encl: (1) Appointment order of 2 Mar 20
(2) Summary (b) (6) [redacted]
(3) Summary
(4) Summary
(5) Summary
(6) Summary
(7) Summary
(8) Summary
(9) Summary
(10) Summary
(11) Summary
(12) Summary
(13) Summary
(14) Summary
(15) Summary
(16) Summary
(17) Written
(18) Summary
(19) Summary
(20) Summary
(21) Summary

Preliminary Statement

1. In accordance with reference (a), this reports the command investigation convened on 2 March 2020 by the Commanding Officer, 1st Maintenance Battalion, Combat Logistics Regiment 15 pursuant to enclosure (1) to inquire into the facts and circumstances in relation to complaints made surrounding the leadership and command climate of Combat Logistics Company 16 (CLC-16). (b) (6) [redacted] Company Commander, United States Marine Corps (USMC) and Chief Warrant Officer 2 (CWO2) Jose Lopez, Company Executive Officer (XO), USMC were identified as having created a negative command climate per enclosure (1). For the purposes of this report, these two officers are considered to be the subjects of this investigation.

2. In my effort to best capture the facts in this case, I prioritized in-person interviews with a wide array of CLC-16 officers, staff non-commissioned officers (SNCO), non-commissioned officers (NCO) and junior enlisted Marines who served both alongside and under (b) (6) [redacted] and CWO2 Lopez at CLC-16. I traveled from 43 Area, Camp Pendleton (CPEN), California

to Marine Corps Air Station (MCAS), Yuma, Arizona on 2 March 2020 to conduct the interviews and fact finding portion of this investigation. Overall, 20 witnesses were contacted and interviewed successfully in-person, 19 interviewees agreed to allowing me to summarize their testimony and one interviewee submitted a signed statement. Each individual interviewed provided a sworn testimony. All results of interviews, less from the Company First Sergeant, CLC-16, were compiled by me from my hand written notes and were not submitted to the interviewees for further review or signature. I completed all interviews at MCAS, Yuma on 5 March 2020 and departed MCAS, Yuma and returned to CPEN. I conducted two interviews at 43 Area, CPEN on 9 and 10 March 2020. I completed this investigative report on 13 March 2020.

3. No witnesses or individuals, to include (b) (6) [redacted] and CWO2 Lopez, were read their Article 31(b) rights during the course of this investigation, as I had no suspicion that any personnel had knowingly or intentionally committed violations of the UCMJ.

4. Due to the scope of the complaints, per enclosure (1), and the unusual instance of two separate officers identified as the subjects of this investigation, the Findings of Fact are organized by each separate subject of the investigation and their alleged UCMJ violations. Administrative matters found in the opening information of the Findings of Fact are provided for contextual background.

Findings of Fact

Administrative Matters

1. (b) (6) [redacted] assumed the position of Company Commander, CLC-16 in September 2018. [encl (19)]

2. CWO2 Lopez assumed the position of Company XO, CLC-16 in August 2018. [encl (18)]

Command Climate Issues Associated with (b) (6) [redacted]

(b) (6) [redacted]

(b) (6) [redacted]

(b) (6) [redacted]

(b) (6) [redacted]

[redacted]

(b) (6) [redacted]

Command Climate Issues Associated with CWO2 Lopez

9. CWO2 Lopez was habitually late to the daily 0730 staff meetings (maintenance production report reconciliation and staff section updates) conducted at the start of each work day which he established. Specifically, CWO2 Lopez was late approximately four times each work week by an average of 5-15 minutes. [encls (2), (3), (6), (7), (8), (9), (10), (12), (13), (14), (16)]

10. January/February 2020, during the 0730 staff meetings (maintenance production report reconciliation and staff section updates), CWO2 Lopez referred to (b) (6) [redacted] as "idiots" because he did not like how the Global Combat Support System-Marine Corps (GCSS-MC) Service Requests (SR) were entered. [Encl (9)]

11. CWO2 Lopez regularly attends company-level meetings wearing civilian attire. Furthermore, he does not immediately change into the uniform of the day, but rather remains in civilian attire for several hours. [encls (2), (6), (8), (9), (11), (12), (14), (15), (16), (21)]

12. At CLC-16, building 610, CWO2 Lopez stated to (b) (6) [redacted] "Oh, she (b) (6) (b) (6) [redacted] actually did her job for once" and "we (b) (6) [redacted] think we can just go to medical whenever we want." [encl (2)]

13. During the end of the week company formation and safety brief, CWO2 Lopez has stated or made reference to the effect of 'good job maintenance, S-shops, not sure what you do or accomplish, but good job too I guess' and 'stay away from the Yuma Yummies and don't knock them up.' [encls (2), (5)]

14. Consistently, CWO2 Lopez has made comments to junior Marines such as;

-"you need me to do that for you"
-"you want me to do your job"
-"I'll make you corporals again, the corporals lance corporals, the lance corporals privates, and the privates recruits,"
-"you're all pieces of shit and I'll make you corporals" [when addressing the sergeants]
-"that's not good enough, why would I ever expect anything out of you"
-"I'll take my blouse off and go to the MCMAP pit"
-"my staff sergeants aren't shit,"

[encls (7), (8), (9), (10), (12), (13), (14)]

15. In September 2019, at the CLC-16, building 610 equipment staging area, (b) (6) [redacted] was tasked to relocate several quad-cons with the MMV. Before he could do so, CWO2 Lopez tasked him to off-load the 5k stake bed truck. Immediately after off-loading the truck CWO2 Lopez yelled at (b) (6) [redacted] and stated "why the fuck aren't the quad-cons moved." [encl (4)]

16. In October 2019, at the MCAS Yuma parade deck, during the MWR Halloween event, CWO2 Lopez became upset because the CLC-16 display was not set up to his liking and began yelling at the Marines in front of families attending the event. He stated to the Marines, "I didn't take my meds today" but did not explain any further and dropped the issue. [encls (2), (5), (20)]

17. In November 2019, at the S-3 office, CLC-16, building 610, (b) (6) [redacted] witnessed CWO2 Lopez become upset because (b) (6) [redacted] did not pull the Marines' past CFT data fast enough for him. He yelled at (b) (6) [redacted] in the S-3 office and stated "you don't give a shit about the Marines." This occurred in front of several junior enlisted Marines. [encl (8)]

18. In January 2020, CLC-16 was conducting an area beautification project. (b) (6) [redacted] was preparing for a physical therapy appointment. [encls (2), (14)]

19. In January 2020, (b) (6) [redacted] to change from the uniform of the day into PT gear and assist with pulling weeds until she had to depart. [encls (2), (14)]

20. In January 2020, at CLC-16, building 610 parking area, CWO2 Lopez stated "oh, sergeants think they can wear whatever they want." (b) (6) [redacted] then explained to CWO2 Lopez that he directed her to change into PT gear to which CWO2 Lopez replied, "I don't care if she has an appointment, but if you think you made the right decision (b) (6) [redacted] clearly you thought you had that authority." [encls (2), (14)]

21. In February 2020, at the CLC-16, building 610 maintenance bay, (b) (6) (b) (6) [redacted] were drilling out a striped oil cap when the extractor snapped. [encls (5), (21)]

22. In February 2020, at the CLC-16, building 610 maintenance bay, CWO2 Lopez became angry when the extractor snapped and stated "That's a stupid idea. Now figure out how the fuck to get it out." [encls (5), (21)]

23. In February 2020, at the CLC-16, building 610 maintenance bay, the Marines asked (b) (6) [redacted] the maintenance chief, for guidance and she directed the Marines to reference the technical manual. CWO2 Lopez returned and saw the Marines using the technical manual and called them "dumb." [encls (5), (21)]

24. On 20 February 2020, at CLC-16, building 610, CWO2 Lopez informed the company at 1700 that they would conduct Basic Skills Training (BST) on 21 February 2020. [encls (3), (4), (5), (7), (9), (12), (15), (16), (18)]

25. Between 0730-0800, 21 February 2020, at CLC-16, building 601, the Marines were assigned BST periods of instruction along with pre-built presentations to instruct from. The Marines did not have time to prepare for

their assigned period of instruction or to review the provided presentations. [encls (3), (4), (5), (7), (9), (12), (15), (16), (18)]

26. On 21 February 2020, throughout the BST periods of instruction, CWO2 Lopez watched videos on his cellphone. [encls (3), (4), (5), (7), (9), (12), (15), (16), (18)]

27. On 21 February 2020, during (b) (6) [redacted] BST radio communications period of instruction, CWO2 Lopez was banging on the printer, laughing at (b) (6) [redacted] and asking her "why don't you know this stuff." (b) (6) [redacted] is a 2111 Armorer. [encls (3), (4), (5), (7), (9), (12), (15), (16), (18)]

28. During physical training (PT) sessions, CWO2 Lopez runs at an 18 minute 3-mile pace and drops approximately 65-70% of the Marines. He has stated on occasion, 'Marines who fall out of runs are bags of asses.' [encls (3), (4), (5), (6), (8), (9), (15)]

29. On 28 February 2020, CWO2 Lopez led PT and (b) (6) [redacted] operated the safety vehicle; a government non-tactical golf cart style vehicle. (b) (6) [redacted] (b) (6) [redacted] began to fall behind during the run due to a knee injury he sustained a couple days prior. (b) (6) [redacted] put the Marine in the non-tactical vehicle, but when CWO2 Lopez saw what was occurring he came over and began to belittle (b) (6) [redacted] and stated 'oh, we just want to ride on the golf cart so you fallout of the run.' [encl (7)]

Misuse of government property by CWO2 Lopez

30. CLC-16 is assigned three Southwest Regional Fleet Transportation non-tactical vehicles. [encl (7)]

31. CWO2 Lopez, aboard MCAS Yuma uses the Southwest Regional Fleet Transportation non-tactical vehicle, a golf cart style vehicle, 1-3 times each week to travel between CLC-16, building 610 and the PX 7-day store. [encls (7), (8)]

Opinions

1. The command climate at CLC-16 is described as an unprofessional and demoralizing organization due to consistent demeaning actions by the executive officer. These demeaning actions have been conducted at the expense and personal humiliation of others and has compromised the integrity of the organizations leadership. This created an environment in which the Marines are no longer comfortable presenting personal or professional issues to the company commander and executive officer. Furthermore, it created the perception that standards and regulations did not apply to the officer leadership. The junior Marines had lost faith in the ability of the SNCOs which forced the NCOs and below to engage in an act of desperation and request an audience with the Battalion Sergeant Major. [FF (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)]

2. (b) (6) [redacted] did not uphold his responsibilities as the company commander due to his failure to make meaningful contact with his Marines and willfully chose to maintain a low profile and disconnected from his subordinates. This created and fostered an inefficient environment consisting of self-induced marginalization of his duties as a company commander and institutional responsibilities as a commissioned officer to enforce established standards

of conduct. [FF (1), (3), (4), (5), (6), (7), (8), (10), (15), (16), (19), (20), (21), (22), (23), (28), (29)]

3. CWO2 Lopez negated his responsibilities as the company XO due to his unrelenting demoralization and humiliation of junior Marines. Instances of verbal outbursts and antagonistic comments from CWO2 Lopez to the subordinate Marines occurred consistently throughout his entire tenure spanning 19 months. The nature and degrading use of language expressed by CWO2 Lopez was construed as demeaning, demoralizing, and/or abusive by his subordinate personnel. This fostered an environment of resentment and a lack of respect for the company grade officers by the SNCOs, NCOs and junior enlisted Marines. CWO2 Lopez' actions enabled a festering decline in the morale of the Marines and as a result compromised the integrity between the officer and enlisted Marines. [FF (2), (4), (9), (10), (11), (12), (13), (14), (15), (16), (17), (18), (19), (20), (21), (22), (23), (24), (25), (26), (27), (28), (29), (30), (31)]

Recommendations

1. (b) (6) [redacted] should receive a non-punitive letter of caution from the Battalion Commander for enabling the festering of the command climate.

2. CWO2 Lopez should be relieved for instilling a command climate characterized by demoralization, threatening behavior, humiliation of others and compromising the relationship between officer and enlisted Marines.

3. CLC-16 should conduct an administrative stand down to review the battalion's mission statement and battalion commander's intent, specifically the Commanding Officer's guidance and battalion Marine Leader Development policy.

4. The point of contact for this command investigation report is (b) (6) [redacted]
(b) (6) [redacted]

(b) (6) [redacted]

UNITED STATES MARINE CORPS
1ST MAINTENANCE BATTALION
COMBAT LOGISTICS REGIMENT 15
1ST MARINE LOGISTICS GROUP
BOX 55647
CAMP PENDLETON CALIFORNIA 92055-55647

IN REPLY REFER TO:
5000-19
Legal

From: Commanding Officer
To: (b) (6) [redacted]

Subj: COMMAND INVESTIGATION IN CASE OF CLC-16 COMMAND CLIMATE

Ref: (a) JAGINST 5800.7F (JAGMAN), Chapter II

1. Per the reference, you are hereby appointed to conduct a command investigation on the command climate at Combat Logistics Company 16. Specifically, you are to investigate the leadership of (b) (6) [redacted] (b) (6) [redacted] and CWO2 Jose Lopez (Company XO) in relation to complaints made by several Marines in a group discussion that (b) (6) [redacted] received on 28 February during a command visit.

2. You are to investigate all facts and circumstances surrounding this incident. You must report all violations, personnel contacted or involved, materials reviewed and pertinent information pertaining to the incident. You must express your opinions and recommend appropriate command or administrative actions in writing via naval letter format.

3. If you have not previously done so, read chapter II of reference (a) in its entirety. You may seek legal advice from the Staff Judge Advocate, (b) (6) [redacted] during the course of your investigation. Once the command investigation is complete you will return it to the Commanding Officer by 13 March 2020, unless an extension of time is requested and granted.

4. If you have any questions concerning this investigation, you are directed to contact (b) (6) [redacted]

(b) (6) [redacted]

ENCLOSURE (1)

The time is 0845 on 3 March 2020 at Room #9, Building 610, Marine Corps Air Station, Yuma, Arizona. Persons present are the witness (b) (6) [redacted] (b) (6) [redacted] (b) (6) [redacted] is recently married and changed her name from (b) (6) [redacted] The Marines of CLC-16 still refer to her as (b) (6) [redacted]

(b) (6) [redacted]

Authorization for the IO to summarize the below testimony: Yes

The witness affirmed the following oath.

"Do you swear that the testimony you are about to give shall be the truth, the whole truth and nothing but the truth [so help you God]?"

Begin Questioning

1. Do you understand the term command climate? How would you describe and characterize the current CLC-16 command climate?

-The command climate is one that is unfair, harsh towards junior Marines and lacks "dignity and respect" for others.

-The SNCOs, specifically (b) (6) [redacted] Senior Enlisted, provides great personal and professional advice and guidance. The other SNCOs are good. They all care for the junior Marines.

-CWO2 Lopez has created an atmosphere lacking in trust. Specifically when the Company Commander is not around he allows the power to go to his head and acts like a dictator. He uses his rank and billet to gain power over the Marines.

2. Can you provide any examples when CWO2 Lopez acted in an unprofessional manner?

-During several company formations, CWO2 Lopez stated "S-1 doesn't do anything around here."

-January 2019, (b) (6) [redacted] was processing an Administrative Action (AA) Form for a Marine who was going through a divorce. The AA Form was submitted by the Marine to extend the designated housing move out date to allow the Marine additional time to relocate their personal belongings. (b) (6) [redacted] stated she was following the MCO, guidance from the Battalion S-1 Section, and MCAS Yuma housing procedures. When CWO2 Lopez discovered she was processing the AA Form, he berated her in the S-1 office in front of other Marines, because he did not feel as if she was following the correct procedures. Eventually, (b) (6) [redacted] started to cry. CWO2 Lopez walked away and (b) (6) [redacted] the Senior Enlisted Advisor, directed (b) (6) [redacted] to take the rest of the day off and go home.

From 10-21 February 2020, the company commander was off-deck at a shooting competition. During this period, CWO2 Lopez directed all Marines to execute hourly pull-ups across a three-day period (b) (6) [redacted] could not recall the exact three-days). She was on the telephone regarding an administrative

manner and missed her hourly pull-up window. When she did execute her pull-ups CWO2 Lopez questioned her integrity as to why she missed a set of pull-ups in front of other Marines.

3. Are you aware of any instances where anyone in the command conducted actions considered to be waste, fraud, or abuse? If so, please provide an account of those incident(s) with dates.

-CWO2 Lopez consistently arrives late to meetings, specifically the daily 0730 Maintenance Production Report meeting. The Marines will sit in the conference room and wait for his arrival. When he does arrive he is in civilian clothing and conducts the meeting in civilian clothing. Following the meeting, CWO2 Lopez remains in civilian clothing for most of the morning.

-This was upsetting because on one occasion, the company was conducting area beautification. (b) (6) [redacted] had a physical therapy appointment shortly thereafter. Rather than pulling weeds in the uniform of the day, she was authorized by the SNCOs to change into PT gear and pull weeds. This would allow her to help with the beautification while being ready for her appointment. CWO2 Lopez saw her in PT gear and made the statement, "oh, sergeants think they can wear whatever they want."

4. Did you address your concerns regarding the command climate and CWO2 Lopez' professionalism as an officer to the SNCOs or company commander?

-No, (b) (6) [redacted] thought the SNCOs were aware of the unprofessionalism since it was occurring in front of them. She also thought the SNCOs would step in and intervene but she also believes the SNCOs are 'afraid' of CWO2 Lopez.

-(b) (6) [redacted] did not notify the company commander because she did not want to bother him and also believed (b) (6) [redacted] the senior enlisted advisor, would bring it to the company commander's attention.

-(b) (6) [redacted] is uncertain if (b) (6) [redacted], the company commander, was aware because he is always in his office. (b) (6) [redacted] "just comes and goes and rarely talks to the Marines. Even when he is at work, it's like he's not even here."

5. In your opinion and based upon your knowledge of him, is CWO2 Jose Lopez considered to be a Marine who upholds our Marine Corps' Core Values - Honor, Courage, Commitment? If not, why?

-"Definitely not." He leads with fear and is unprofessional.

6. Do you feel comfortable that the statements you have made to me will not be the subject of retribution or reprisal by leadership within CLC-16? If you believe there might be retribution or reprisal committed against you, why?

-No. There will be some form of retaliation either verbally, during PT, etc…

7. Is there anything you would like to add?

-CWO2 Lopez doesn't care for the Marines. I heard him say something to the effect of 'hating all Marines equally.'

8. This interview ended at 1050, 3 March 2020.

The time is 1100 on 3 March 2020 at Room #9, Building 610, Marine Corps Air Station, Yuma, Arizona. Persons present are the witness (b) (6) [redacted]

(b) (6) [redacted]

Authorization for the IO to summarize the below testimony: Yes

The witness affirmed the following oath.

"Do you swear that the testimony you are about to give shall be the truth, the whole truth and nothing but the truth [so help you God]?"

Begin Questioning

1. Do you understand the term command climate? How would you describe and characterize the current CLC-16 command climate?

-The command climate consists of daily friction and low morale, as well as productivity.

-It is visible that morale and productivity rise when CWO2 Lopez is not around. He 'shits on everyone's day.'

2. Can you provide any examples when CWO2 Lopez acted in an unprofessional manner?

-CWO2 Lopez blatantly embarrasses Marines. Approximately two weeks ago the Marines learned on a Thursday evening at approximately 1700, that they were conducting Basic Skills Training (BST) the next day starting at 0800. On Friday morning, the Marines arrived and were assigned classes. During (b) (6) [redacted] radio communications class, CWO2 Lopez stood at the head of the presentation area and behind (b) (6) [redacted] where he was visible by all of the Marines. Throughout the presentation, (b) (6) [redacted] who is a 2111 Armorer and did not have time to prepare for the radio communications class, CWO2 Lopez was laughing and banging on the printer in a distracting manner and unprofessional manner. The Marines perceived CWO2 Lopez' actions to be his dissatisfaction with regards to (b) (6) [redacted] presentation. During other periods of instruction, CWO2 Lopez sat in the back of the classroom and watched videos on his cellphone. While the Marines did not know what CWO2 Lopez was watching, they could hear the video playing and knew it was not related to the materials being presented.

-CWO2 Lopez demeans and degrades Marines in front of junior personnel. He states to (b) (6) [redacted] "Oh, she (b) (6) [redacted] actually did her job for once" when (b) (6) [redacted] was out-processing a Marines annual leave.

-CWO2 Lopez has stated "we think we can just go to medical whenever we want." This has created the perception amongst the Marines that they cannot go to medical for appointments or sick-call because they will be harassed.

-CWO2 Lopez comes to work late and wears civilian attire more often than the uniform of the day. He even wears civilian attire to meetings.

-During end of the week formations/safety briefs, CWO2 Lopez praises the maintenance Marines and demeans the non-maintenance Marines. He has stated on several occasions 'good job maintenance, S-shops, not sure what you do or accomplish, but good job too I guess.'

-October 2019, CLC-16 participated in the MCAS Yuma Halloween MWR event. (b) (6) [redacted] stated CWO2 Lopez 'threw a fit' because the haunted house/maze was not set up exactly as he wanted. He then stated "I didn't take my meds today" but did not explain any further and dropped the issue.

-Physical training (PT) sessions are considered 'break off sessions rather than team building sessions' because CWO2 Lopez leads PT at a pace which only 3-4 Marines can maintain. When Marines fall behind during the run, he yells at them.

3. What does the company commander say during PT sessions? Does he intervene in order to make PT more of a team building event?

-(b) (6) [redacted] has only come to 2-3 PT sessions since I have been at the command.

4. Are you aware of any instances where anyone in the command conducted actions considered to be waste, fraud, or abuse? If so, please provide an account of those incident(s) with dates.

-No.

5. Did you address your concerns regarding the command climate and CWO2 Lopez' professionalism as an officer to the SNCOs or company commander?

-No, but (b) (6) [redacted] did address it to (b) (6) [redacted]

6. In your opinion and based upon your knowledge of him, is CWO2 Jose Lopez considered to be a Marine who upholds our Marine Corps' Core Values - Honor, Courage, Commitment? If not, why?

-No. I only see toxic traits. The Marines and SNCOs are afraid of CWO2 Lopez.

7. Do you feel comfortable that the statements you have made to me will not be the subject of retribution or reprisal by leadership within CLC-16? If you believe there might be retribution or reprisal committed against you, why?

-Yes. I feel protected knowing that the command is looking into the situation.

8. Is there anything you would like to add?

-CWO2 Lopez is a poor leader who doesn't care for the Marines.

9. This interview ended at 1200, 3 March 2020.

The time is 1215 on 3 March 2020 at Room #9, Building 610, Marine Corps Air Station, Yuma, Arizona. Persons present are the witness (b) (6) [redacted]

(b) (6) [redacted]

Authorization for the IO to summarize the below testimony: Yes

The witness affirmed the following oath.

"Do you swear that the testimony you are about to give shall be the truth, the whole truth and nothing but the truth [so help you God]?"

Begin Questioning

1. Do you understand the term command climate? How would you describe and characterize the current CLC-16 command climate?

-The command climate is one with direct interaction from the officers and SNCOs to the junior enlisted Marines and may bypass NCOs. (b) (6) [redacted] (b) (6) [redacted] associates this to the small size of the company.

-Communication within the company is good and bad as tasks change rapidly. Tasks will go uncompleted because of the rapid changes.

(b) (6) [redacted] feels the company commander and SNCOs and below are professional.

-(b) (6) [redacted] feels CWO2 Lopez is a poor communicator who is not focused resulting in the rapid shift in priorities.

2. Can you provide any examples when CWO2 Lopez acted in an unprofessional manner?

-CWO2 Lopez shifts priorities many times daily resulting in tasks going uncompleted. CWO2 Lopez will then ask why the initial task was not completed. When the Marines respond it was because they were re-tasked, he will 'chew their ass' in a demeaning and degrading manner.

-Around September 2019, (b) (6) [redacted] was tasked to use the 5k to relocate several quad-cons. (b) (6) [redacted] stated he thought it would be better to temploan an MMV from an adjacent unit which he was approved to do. Before he could temploan the MMV, he was tasked to use the 5k to off-load the stakebed truck. Immediately after off-loading the stakebed truck, CWO2 Lopez yelled at him and said "why the fuck aren't the quad-cons moved."

-During the Basic Skills Training in February 2020, CWO2 Lopez was laughing at (b) (6) [redacted] throughout the presentation of her communications class which she did not have time to prepare for. During other periods of instruction CWO2 Lopez was on his cell phone watching videos. None of the SNCOs intervened to stop him or ask him to leave.

-Following the BST periods of instruction, (b) (6) [redacted] witnessed CWO2 Lopez yelling at (b) (6) [redacted] for not completing his assigned task of removing the rubber from the A-Frame tires. CWO2 Lopez specifically stated "why the fuck isn't this done, this shit should've been done by now."

-In February 2020, (b) (6) [redacted] was drilling out a striped oil cap and the extractor snapped. CWO2 Lopez became angry when he learned they were drilling out the oil cap and said 'that's a stupid idea. Now figure out how the fuck to get it out.' CWO2 Lopez left, but did not explain a better method for the Marines to use.

-During the end of the week formation and safety brief, CWO2 Lopez has stated 'stay away from the Yuma Yummies and don't knock them up.'

-During physical training (PT) sessions, CWO2 Lopez runs at what seems to be a six-minute mile pace and leaves '90% of the company in the wind.' He then states "all you fuckers are slow' and 'why can't you keep up.' The Marines feel as if PT does not build morale.

3. What does the company commander say during PT sessions? Does he intervene in order to make PT more of a team building event?

-(b) (6) [redacted] has only come to 2-3 PT sessions. On one occasion (b) (6) [redacted] (b) (6) [redacted] laid down at the end and said something to the effect that 'no one should ever push themselves this hard at PT.'

4. Are you aware of any instances where anyone in the command conducted actions considered to be waste, fraud, or abuse? If so, please provide an account of those incident(s) with dates.

-No.

5. Did you address your concerns regarding the command climate and CWO2 Lopez' professionalism as an officer to the SNCOs or company commander?

-Yes, [redacted] addressed some of the issues with his NCOs. They stated they did not know what to do about the situation with CWO2 Lopez.

-Yes, [redacted] addressed some of the issues with his SNCOs, specifically [redacted] The general response was 'I know', 'this is above your pay grade' or 'don't worry about it.'

6. In your opinion and based upon your knowledge of him, is CWO2 Jose Lopez considered to be a Marine who upholds our Marine Corps' Core Values - Honor, Courage, Commitment? If not, why?

-No. CWO2 Lopez only wants to make himself look good. He puts on a show of concern and caring when the battalion commander is around.

-CWO2 Lopez wears civilian attire most of the work day, to include meetings.

7. Do you feel comfortable that the statements you have made to me will not be the subject of retribution or reprisal by leadership within CLC-16? If you believe there might be retribution or reprisal committed against you, why?

-Yes. I feel protected knowing that the command is looking into the situation.

8. Is there anything you would like to add?

-No.

9. This interview ended at 1310, 3 March 2020.

The time is 1318 on 3 March 2020 at Room #9, Building 610, Marine Corps Air Station, Yuma, Arizona. Persons present are the witness (b) (6) [redacted]

Authorization for the IO to summarize the below testimony: Yes

The witness affirmed the following oath.

"Do you swear that the testimony you are about to give shall be the truth, the whole truth and nothing but the truth [so help you God]?"

Begin Questioning

1. Do you understand the term command climate? How would you describe and characterize the current CLC-16 command climate?

-When (b) (6) [redacted] reported to CLC-16 the command climate was good. He received mentorship and experienced commaraderie.

-Currently, (b) (6) [redacted] views the command climate as poor with low morale and no commaraderie. The Marines only look forward to leaving at the end of the day.

-(b) (6) [redacted] feels that mentorship is not available any longer. He does not feel as if he can speak to either (b) (6) [redacted] or CWO2 Lopez. He does feel that he can speak with (b) (6) [redacted]

2. Can you provide any examples when CWO2 Lopez acted in an unprofessional manner?

-CWO2 Lopez consistently belittles, demeans and degrades the Marines on a daily basis. He oftentimes justifies his actions by stating 'I haven't taken my meds today.'

-During the Basic Skills Training in February 2020, the Marines were given less than 24 hours notification of the BST and did not have time to prepare. On Friday when the BST classes started, CWO2 Lopez was laughing at (b) (6) [redacted] and slamming the printer lid during her radio communications class. During other periods of instruction he was on his cell phone on what was perceived to be a personal phone call. (b) (6) [redacted] stated, no one stopped CWO2 Lopez; "no one would dare".

-In January 2020, CWO2 Lopez took the Marines on a seven-mile run. The Marines were given about three-days notification.

-During physical training (PT) sessions, CWO2 Lopez runs at an 18 minute 3-mile pace and drops approximately 65-70% of the Marines. He has stated on occasion, 'Marines who fall out of runs are bags of asses.'

-October 2019, CLC-16 participated in the MCAS Yuma Halloween MWR event. During the event CWO2 Lopez was yelling at the Marines because the CLC-16

haunted house/maze was not set up to his liking. CWO2 Lopez then justified his actions by stating "I forgot to take my meds." This occurred in front of civilians, but (b) (6) [redacted] is unsure whether or not the civilians could hear CWO2 Lopez yelling because of all of the other events going on simultaneously in the immediate area.

3. What does the company commander say during PT sessions? Does he intervene in order to make PT more of a team building event?

-No, I have not seen (b) (6) [redacted] at any PT sessions.

4. Are you aware of any instances where anyone in the command conducted actions considered to be waste, fraud, or abuse? If so, please provide an account of those incident(s) with dates.

-No.

5. Did you address your concerns regarding the command climate and CWO2 Lopez' professionalism as an officer to the SNCOs or company commander?

-Yes, (b) (6) [redacted] addressed CWO2 Lopez' unprofessional behavior with (b) (6) [redacted] They both agreed and decided to consult with (b) (6) [redacted] who advised them to contact (b) (6) [redacted].

-Yes, (b) (6) [redacted] addressed CWO2 Lopez' unprofessional behavior with (b) (6) [redacted] (b) (6) [redacted] (b) (6) [redacted] stated 'CWOs should not act this way'.

-(b) (6) [redacted] did not address CWO2 Lopez' unprofessional behavior with the company commander. (b) (6) [redacted] feels the company commander does not know the Marines and has not tried to get to know them. This has created a communications barrier between the company commander and the Marines.

6. In your opinion and based upon your knowledge of him, is CWO2 Jose Lopez considered to be a Marine who upholds our Marine Corps' Core Values - Honor, Courage, Commitment? If not, why?

-No. The perception is CWO2 Lopez is feared by the NCOs and will 'pull rank on the SNCOs.'

-On a daily basis, CWO2 Lopez attacks the Marines verbally through foul language, demeaning and degrading comments, and gives 'ass-chewings' to the Marines without a care for who is listening.

-CWO2 Lopez does not care for the Marines. When a Marine requests to go to a medical appointment he will shake his head negatively and his body language is one of disgust.

-(b) (6) [redacted] would not emulate CWO2 Lopez' leadership or conduct. If he had known he would be subject to this type of abuse he "wouldn't have enlisted and right now feels reenlisting is not in my best interest because of the possibility of being under someone else like CWO2 Lopez."

7. Do you feel comfortable that the statements you have made to me will not be the subject of retribution or reprisal by leadership within CLC-16? If you believe there might be retribution or reprisal committed against you, why?

-No, (b)(6) [redacted] believes CWO2 Lopez will find a way to retaliate against the Marines.

8. Is there anything you would like to add?

-No.

9. This interview ended at 1420, 3 March 2020.

The time is 1430 on 3 March 2020 at Room #9, Building 610, Marine Corps Air Station, Yuma, Arizona. Persons present are the witness (b) (6) [redacted]
(b) (6) [redacted]

(b) (6) [redacted]

Authorization for the IO to summarize the below testimony: Yes

The witness affirmed the following oath.

"Do you swear that the testimony you are about to give shall be the truth, the whole truth and nothing but the truth [so help you God]?"

Begin Questioning

1. Do you understand the term command climate? How would you describe and characterize the current CLC-16 command climate?

-(b) (6) [redacted] characterized the command climate as professional most of the time.

2. Can you provide any examples when CWO2 Lopez acted in an unprofessional manner?

-CWO2 Lopez is consistently late to the morning staff meetings. On average he is late 3 times each week and the Marines have to wait approximately 5-10 minutes.

-CWO2 Lopez wears civilian attire while at work more than he wears the designated uniform of the day.

-Feels CWO2 Lopez speaks to Marines in a condescending manner and does not teach them to become better performers.

-During BST classes, Sergeant Slaughter felt as if CWO2 Lopez simply signed the training rosters and then 'came and went' as he pleased and truly did not receive the training.

3. Are you aware of any instances where anyone in the command conducted actions considered to be waste, fraud, or abuse? If so, please provide an account of those incident(s) with dates.

-No.

4. How would you portray physical training sessions?

-CWO2 Lopez wants 80% of the company to have a 1st class PFT and 100% to have a 1st class CFT.

-During PT sessions, about 65% of the Marines fall behind, but CWO2 Lopez always circles back for them.

-Approximately 3-weeks ago, CWO2 Lopez took the Marines on an 8.5 mile off-base run. The start point was barracks 860, the turnaround point was the U-Haul/warehouse, and the return point was barracks 860.

ENCLOSURE (6)

-At the end of PT sessions, CWO2 Lopez talks about the importance of improving upon physical performance.

5. Did you address your concerns regarding the command climate and CWO2 Lopez' professionalism as an officer to the SNCOs or company commander?

-(b) (6) [redacted] stated he addressed CWO2 Lopez' unprofessionalism with (b) (6) [redacted] but did not know if (b) (6) [redacted] talked with the chief warrant officer.

6. In your opinion and based upon your knowledge of him, is CWO2 Jose Lopez considered to be a Marine who upholds our Marine Corps' Core Values - Honor, Courage, Commitment? If not, why?

-No. (b) (6) [redacted] did not elaborate.

7. Do you feel comfortable that the statements you have made to me will not be the subject of retribution or reprisal by leadership within CLC-16? If you believe there might be retribution or reprisal committed against you, why?

-Yes, (b) (6) [redacted] feels he will not be retaliated against.

8. Is there anything you would like to add?

-No.

9. This interview ended at 1520, 3 March 2020.

The time is 1525 on 3 March 2020 at Room #9, Building 610, Marine Corps Air Station, Yuma, Arizona. Persons present are the witness (b) (6) [redacted]

(b) (6) [redacted]

Authorization for the IO to summarize the below testimony: Yes

The witness affirmed the following oath.

"Do you swear that the testimony you are about to give shall be the truth, the whole truth and nothing but the truth [so help you God]?"

Begin Questioning

1. Do you understand the term command climate? How would you describe and characterize the current CLC-16 command climate?

-The command climate is characterized as a horrible, demanding, aggressive, one-way environment. The sergeants and below stick together because they have to pull together in order to overcome the last minute tasking, which if not accomplished, will make the situation worse.

2. Can you provide any examples of unprofessionalism?

-February 2020, the Marines were informed on Thursday at approximately 1700 that they were going to conduct BST the following day by CWO2 Lopez. Around 0730 the next morning, the Marines were assigned a BST class to present and did not have time to prepare due to the last minute. (b) (6) [redacted] felt the training was ok, but wished they had more time to prepare. Additionally, he felt it odd because the company covered every BST class in one eight hour period.

-28 February 2020, CWO2 Lopez led PT and (b) (6) [redacted] operated the safety vehicle; a government non-tactical golf cart style vehicle. (b) (6) [redacted] began to fall behind during the run due to a knee injury he sustained a couple days prior. (b) (6) [redacted] put the Marine in the non-tactical vehicle, but when CWO2 Lopez saw what was occurring he came over and began to belittle (b) (6) [redacted] and stated 'oh, we just want to ride on the golf cart so you fallout of the run.'

3. What does the company commander say during PT sessions? Does he intervene in order to make PT more of a team building event?

-(b) (6) [redacted] has only participated in 3-4 PT sessions to his knowledge and those sessions were either PFTs or CFTs.

4. Are you aware of any instances where anyone in the command conducted actions considered to be waste, fraud, or abuse? If so, please provide an account of those incident(s) with dates.

-Yes, CWO2 Lopez uses the government non-tactical golf cart style vehicle 1-3 times per week to go to the PX or 7-Day store.

5. Did you address your concerns regarding the command climate and CWO2 Lopez' professionalism as an officer to the SNCOs or company commander?

-Yes, (b) (6) [redacted] felt CWO2 Lopez' actions and verbal communication is inappropriate. He addressed the issue with (b) (6) [redacted]

-No, (b) (6) [redacted] did not address CWO2 Lopez' actions with the company commander. He stated that the company commander "never comes out of his office" and does not have any type of relationship with the Marines therefore he cannot trust that (b) (6) [redacted] would even care.

6. In your opinion and based upon your knowledge of him, is CWO2 Jose Lopez considered to be a Marine who upholds our Marine Corps' Core Values - Honor, Courage, Commitment? If not, why?

-No. (b) (6) [redacted] believes CWO2 Lopez has good intentions but uses 'poor processes and procedures' which negatively affect the relationship, respect and loyalty between CWO2 Lopez and the Marines. He fumbles and shifts priorities a lot and makes belittling comments such as "you need me to do that for you" or "you want me to do your job?."

7. Do you feel comfortable that the statements you have made to me will not be the subject of retribution or reprisal by leadership within CLC-16? If you believe there might be retribution or reprisal committed against you, why?

-Yes, (b) (6) [redacted] feels there will not be any type of retaliation and is glad the command is looking into the situation at CLC-16.

8. Is there anything you would like to add?

-No.

9. This interview ended at 1620, 3 March 2020.

The time is 1630 on 3 March 2020 at Room #9, Building 610, Marine Corps Air Station, Yuma, Arizona. Persons present are the witness (b) (6) [redacted]

(b) (6) [redacted]

Authorization for the IO to summarize the below testimony: Yes

The witness affirmed the following oath.

"Do you swear that the testimony you are about to give shall be the truth, the whole truth and nothing but the truth [so help you God]?"

Begin Questioning

1. Do you understand the term command climate? How would you describe and characterize the current CLC-16 command climate?

-Yes. The command climate is one where the officer leadership is not positively engaged and the senior SNCOs are engaged for the most part. The SSgts work well with the junior Marines to accomplish the mission.

2. Can you explain what you mean when you state the "senior SNCOs are engaged for the most part."?

-Yes, (b) (6) [redacted] try's the best he can to take care of the Marines, but (b) (6) [redacted] is not actively engaged with the junior Marines. The senior SNCOs are more interested in their own self-preservation and will not speak up on behalf of the junior Marines.

3. Can you provide any examples of unprofessionalism?

-Yes, we are lucky if we see the company commander before 0800, but even then he goes directly to his office and remains there. He is disconnected from the Marines and their daily activities.

-CWO2 Lopez is overly engaged and does not allow small unit leadership to make decisions, rather he micro-manages their activities.

-November 2019, (b) (6) [redacted] witnessed CWO2 Lopez become upset because (b) (6) [redacted] did not pull the Marines' past CFT data fast enough for him. He yelled at (b) (6) [redacted] in the S-3 office and stated "you don't give a shit about the Marines." This occurred in front of several junior Marines.

-During the daily 0730 staff meeting, CWO2 Lopez will arrive up to 15 minutes late and in civilian attire making the Marines wait unnecessarily. He will then attend the meeting in civilian attire and then remain in civilian attire for several hours before eventually changing into his MARPAT uniform.

-During the end of the week formation and safety brief, CWO2 Lopez will already be changed and in his civilian clothes when addressing the Marines.

-During physical training sessions, CWO2 Lopez will outpace the Marines when they are running and becomes upset to the point that he threatens the Marines

that they will receive a Page 11 counseling from him if they continue to fall behind.

4. What does the company commander say during PT sessions? Does he intervene in order to make PT more of a team building event?

-(b) (6) [redacted] has only participated in 1 PT session to his knowledge and it was a team sport activity.

5. Are you aware of any instances where anyone in the command conducted actions considered to be waste, fraud, or abuse? If so, please provide an account of those incident(s) with dates. Have you seen CWO2 Lopez use the government non-tactical golf cart style vehicle?

-(b) (6) [redacted] has observed CWO2 Lopez operate the government non-tactical golf cart style vehicle, but is unsure where he drives it to.

6. Did you address your concerns regarding the command climate and CWO2 Lopez' professionalism as an officer to the SNCOs or company commander?

-(b) (6) [redacted] did not address the above issues with his SNCOs because he felt the issues would not have been resolved.

-(b) (6) [redacted] did not address the above issues with the company commander.

7. In your opinion and based upon your knowledge of him, is CWO2 Jose Lopez considered to be a Marine who upholds our Marine Corps' Core Values - Honor, Courage, Commitment? If not, why?

-No. CWO2 Lopez leads through fear and intimidation. He has stated on several occasions "I'll make your corporals again, the corporals lance corporals, the lance corporals privates, and the privates recruits" and "I'll give a selected Marine a Page 11."

-CWO2 Lopez puts on a front when visitors [CO, XO, SgtMaj] are at the unit. "He is putting on a show for you right now sir."

8. Do you feel comfortable that the statements you have made to me will not be the subject of retribution or reprisal by leadership within CLC-16? If you believe there might be retribution or reprisal committed against you, why?

-Yes, I do not believe there will be any retaliation.

9. Is there anything you would like to add?

-Yes, it is apparent all of the Marines within the company are in "self-preservation mode" to protect themselves.

10. This interview ended at 1710, 3 March 2020.

The time is 0805 on 4 March 2020 at Room #9, Building 610, Marine Corps Air Station, Yuma, Arizona. Persons present are the witness (b) (6) [redacted]

(b) (6) [redacted]

Authorization for the IO to summarize the below testimony: Yes

The witness affirmed the following oath.

"Do you swear that the testimony you are about to give shall be the truth, the whole truth and nothing but the truth [so help you God]?"

Begin Questioning

1. Do you understand the term command climate? How would you describe and characterize the current CLC-16 command climate?

-Yes. The command climate is strained at times. Some of the SNCOs are trustworthy while SNM tries to avoid the others. The XO has created an environment where he is only actively engaged when he chooses to be.

2. Can you explain what you mean when you state the "some of the SNCOs are trustworth."?

-Yes. SNM stated he can trust (b) (6) [redacted] He avoids to others especially (b) (6) [redacted] as he presents an uncaring attitude.

3. Can you provide any examples of unprofessionalism?

-Yes, CWO2 Lopez arrives late to the daily staff meetings by approximately 5-15 minutes. When he does arrive, he wears civilian attire.

-January/February 2020, during a staff meeting, CWO2 Lopez referred to (b) (6) [redacted] (b) (6) [redacted] as "idiots" because he did not like how the SRs were entered into GCSS-MC.

-During physical training sessions, CWO2 Lopez has stated 'it's pathetic they can't keep up' when referring to individuals who fall behind. SNM believes CWO2 Lopez wants to see each Marine improve upon their physical fitness but is engaging the situation in the wrong manner.

-February 2020, during a BST period of instruction in which (b) (6) [redacted] was leading a radio communications class, CWO2 Lopez was laughing at her and banging on the printer when she was teaching. During other periods of instruction, CWO2 Lopez was on his telephone watching videos. It is uncertain what the videos were, but the Marines could hear sound coming from his cellphone.

4. Did you address your concerns regarding the command climate and CWO2 Lopez' professionalism as an officer to the SNCOs or company commander?

-No. SNM stated even if he did address the issues, nothing would have happened because the SNCOs and junior Marines fear CWO2 Lopez.

5. In your opinion and based upon your knowledge of him, is CWO2 Jose Lopez considered to be a Marine who upholds our Marine Corps' Core Values - Honor, Courage, Commitment? If not, why?

-No, because CWO2 Lopez leads through fear.

6. Do you feel comfortable that the statements you have made to me will not be the subject of retribution or reprisal by leadership within CLC-16? If you believe there might be retribution or reprisal committed against you, why?

-Yes, only because (b) (6) [redacted] are at the unit and SNM believes they will protect the Marines.

7. Is there anything you would like to add?

-No.

8. This interview ended at 0845, 4 March 2020.

The time is 0850 on 4 March 2020 at Room #9, Building 610, Marine Corps Air Station, Yuma, Arizona. Persons present are the witness (b) (6) [redacted]

(b) (6) [redacted]

Authorization for the IO to summarize the below testimony: Yes

The witness affirmed the following oath.

"Do you swear that the testimony you are about to give shall be the truth, the whole truth and nothing but the truth [so help you God]?"

Begin Questioning

1. Do you understand the term command climate? How would you describe and characterize the current CLC-16 command climate?

-Yes, the command climate is good. Marines may not always see "eye to eye" on how tasks should be performed but nothing out of the ordinary or expectations.

2. Can you provide any examples of unprofessional conduct?

-Last summer [2019], CWO2 Lopez asked why morale was low. A Marine answered because of the PT. CWO2 Lopez did not like the answer and became angry. He told the sergeants "you're all pieces of shit and I'll make you corporals."

-CWO2 Lopez consistently arrives late to the 0730 staff meeting by about 15 minutes and when he does arrive he wears civilian attire. Throughout the meeting he will make belittling comments to the Marines regarding their performance.

-SNM could not provide exact occurrences, but stated CWO2 Lopez has name-called Marines in the past.

3. Did you address your concerns regarding the command climate and CWO2 Lopez' professionalism as an officer to the SNCOs or company commander?

-Yes, but I am uncertain as to what the outcome was.

4. In your opinion and based upon your knowledge of him, is CWO2 Jose Lopez considered to be a Marine who upholds our Marine Corps' Core Values - Honor, Courage, Commitment? If not, why?

-No. CWO2 Lopez is manipulative in nature and presents a different persona when the CO, XO, and SgtMaj are on deck. He is feared by the SNCOs and below rather than respected.The perception is CWO2 Lopez is feared by the NCOs and will 'pull rank on the SNCOs.'

5. Do you feel comfortable that the statements you have made to me will not be the subject of retribution or reprisal by leadership within CLC-16? If you believe there might be retribution or reprisal committed against you, why?

-Yes, SNM feels protected against retaliation and is glad the command is looking into the command climate.

6. Is there anything you would like to add?

-No.

7. This interview ended at 0920, 4 March 2020.

The time is 0925 on 4 March 2020 at Room #9, Building 610, Marine Corps Air Station, Yuma, Arizona. Persons present are the witness (b) (6) [redacted]

(b) (6) [redacted]

Authorization for the IO to summarize the below testimony: Yes

The witness affirmed the following oath.

"Do you swear that the testimony you are about to give shall be the truth, the whole truth and nothing but the truth [so help you God]?"

Begin Questioning

1. Do you understand the term command climate? How would you describe and characterize the current CLC-16 command climate?

-Yes. The command climate is one in which the Marines, to include the SNCOs, are afraid and act skittish especially in front of CWO2 Lopez.

2. Can you provide any examples when CWO2 Lopez acted in an unprofessional manner?

-February 2020, the Marines were notified at 1700 on a Thursday that they would conduct BST classes the next day. At 0730 Friday, the Marines were assigned BST classes to instruct. SNM was assigned a radio communications class, however she stated she did not prepare the slides and did not have an opportunity to review them (she is a 2111 Armorer). Throughout SNM's presentation, CWO2 Lopez consistently asked her questions which she did not have the answer to and would laugh at her. During other classes, CWO2 Lopez could be observed playing on his cell phone.

-During the end of the week formation and safety brief, CWO2 Lopez is already changed and in civilian attire when he speaks to the Marines. (b) (6) [redacted] has observed 3-4 safety briefs since reporting to the unit.

3. Did you address your concerns regarding the command climate and CWO2 Lopez' professionalism as an officer to the SNCOs or company commander?

-No, SNM did not address the issues with the SNCOs within CLC-16, but did address her concerns during an NCO meeting with SgtMaj Lirette on 28 February 2020.

4. In your opinion and based upon your knowledge of him, is CWO2 Jose Lopez considered to be a Marine who upholds our Marine Corps' Core Values - Honor, Courage, Commitment? If not, why?

-No. The perception is CWO2 Lopez is feared by the Marines. He sets standards but does not adhere to those same standards making him a hypocrite.

5. Do you feel comfortable that the statements you have made to me will not be the subject of retribution or reprisal by leadership within CLC-16? If

you believe there might be retribution or reprisal committed against you, why?

-Yes, especially now that the command is looking into the command climate issue at CLC-16.

6. Is there anything you would like to add?

-No.

7. This interview ended at 0940, 4 March 2020.

The time is 0950 on 4 March 2020 at Room #9, Building 610, Marine Corps Air Station, Yuma, Arizona. Persons present are the witness (b) (6) [redacted]
(b) (6) [redacted]

(b) (6) [redacted]

Authorization for the IO to summarize the below testimony: Yes

The witness affirmed the following oath.

"Do you swear that the testimony you are about to give shall be the truth, the whole truth and nothing but the truth [so help you God]?"

Begin Questioning

1. Do you understand the term command climate? How would you describe and characterize the current CLC-16 command climate?

-Yes. The command climate is faltering. It is characterized by an abuse of power where officers are allowed to operate in a 'grey' area.

2. Can you explain what you mean by the term 'grey' area.

-Yes, CWO2 Lopez lacks consistency and shifts priorities rapidly and unnecessarily. He has good intentions, but only involves himself in matters which will benefit him and make him look good.

3. Can you provide any examples of unprofessional conduct?

-February 2020, the Marines were informed on Thursday at approximately 1700 that they were going to conduct BST the following day by CWO2 Lopez. Around 0730 the next morning, the Marines were assigned a BST class to present but did not have time to review the material or prepare for their presentation. Throughout the presentations, CWO2 Lopez would ask Marines questions they did not know the answer to. He would then bang on the printer or use his cellphone in a manner which was distracting to the instructor and those receiving the class.

-During the 0730 Wednesday, Maintenance Production Report meeting, CWO2 Lopez would arrive up to 15 minutes late, wear civilian attire during the meeting and speak down to the Marines and make comments such as "don't worry, I'll do your job for you staff sergeant.

4. Did you address your concerns regarding the command climate and CWO2 Lopez' professionalism as an officer to the SNCOs or company commander?

-No, SNM did not addressed the above issues with the SNCOs or company commander. Stated, even if he did, he did not think it would make a difference.

5. In your opinion and based upon your knowledge of him, is CWO2 Jose Lopez considered to be a Marine who upholds our Marine Corps' Core Values - Honor, Courage, Commitment? If not, why?

-No. CWO2 Lopez does not treat the Marines equally. It is perceived that CWO2 Lopez has preferential treatment for the maintenance Marines and those who are not an equipment maintainer is on his "bad side." CWO2 Lopez will put on a "show" when the CO, XO or SgtMaj are on deck, but once "you all leave, there is no teaching or mentoring."

6. Do you feel comfortable that the statements you have made to me will not be the subject of retribution or reprisal by leadership within CLC-16? If you believe there might be retribution or reprisal committed against you, why?

-Yes.

7. Is there anything you would like to add?

-No.

8. This interview ended at 1030, 4 March 2020.

The time is 1040 on 4 March 2020 at Room #9, Building 610, Marine Corps Air Station, Yuma, Arizona. Persons present are the witness (b) (6) [redacted]

Authorization for the IO to summarize the below testimony: Yes

The witness affirmed the following oath.

"Do you swear that the testimony you are about to give shall be the truth, the whole truth and nothing but the truth [so help you God]?"

Begin Questioning

1. Do you understand the term command climate? How would you describe and characterize the current CLC-16 command climate?

-Yes. The command climate is terrible. On a daily basis Marines receive "verbal beatings". Everyone needs to cover their own "butt."

2. Can you provide any examples of unprofessionalism?

-CWO2 Lopez carries himself unprofessionally. He makes disappointing type mannerisms such as eye-rolling and groans and often states "that's not good enough" or "why would I ever expect anything out of you."

-CWO2 Lopez will yell at Marines or speak to them in a degrading manner. "It does not matter who is around."

-CWO2 Lopez will provide the Marines with tasks and deadlines, but then quickly changes the priorities. On numerous occasions, CWO2 Lopez would change the priority and then ask approximately 10-15 minutes later why the initial task was not completed.

(b) (6) [redacted] stated he had witnessed CWO2 Lopez threaten Marines by negatively impacting their FitReps or giving them a 6105 derogatory counseling.

3. Did you address your concerns regarding the command climate and CWO2 Lopez' professionalism as an officer to the SNCOs or company commander?

-Yes. In December 2018, the junior Marines brought multiple issues to SNM's attention. SNM reported the incidents and displeasure to (b) (6) [redacted] While SNM was not part of the conversation, he does recall (b) (6) [redacted] discussed CWO2 Lopez' lack of professionalism with (b) (6) [redacted] the company commander. Later that day, (b) (6) [redacted] "I was told we just need to figure it out."

-Around February 2019, (b) (6) [redacted] discussed the CWO2 Lopez' lack of professionalism with (b) (6) [redacted] who then discussed the issue with (b) (6) [redacted] (b) (6) [redacted] the company commander. Later that day, CWO2 Lopez directed (b) (6) [redacted] to report to his office. SNM stated "CWO2 Lopez chewed my ass for speaking to (b) (6) [redacted] about him."

(b) (6) [redacted] did not address the issues with the company commander. He stated, "he is rarely around and barely talks to the Marines." I have only had 4-5 meaningful conversations with the company commander since his arrival.

4. In your opinion and based upon your knowledge of him, is CWO2 Jose Lopez considered to be a Marine who upholds our Marine Corps' Core Values - Honor, Courage, Commitment? If not, why?

-No. CWO2 Lopez leads through fear, is demeaning and "speaks negatively of the Marines even when junior Marines are present." He portrays a perception of "who's going to tell me otherwise, I'm the chief warrant officer."

5. Do you feel comfortable that the statements you have made to me will not be the subject of retribution or reprisal by leadership within CLC-16? If you believe there might be retribution or reprisal committed against you, why?

-No, CWO2 Lopez will retaliate against the Marines on their Fitness Reports. "I don't feel safe at all from retaliation."

6. Is there anything you would like to add?

(b) (6) [redacted] is glad the command is now aware and looking into the issues at CLC-16.

7. This interview ended at 1130, 4 March 2020.

The time is 1300 on 4 March 2020 at Room #9, Building 610, Marine Corps Air Station, Yuma, Arizona. Persons present are the witness (b) (6) [redacted]
(b) (6) [redacted]
(b) (6) [redacted]

Authorization for the IO to summarize the below testimony: Yes

The witness affirmed the following oath.

"Do you swear that the testimony you are about to give shall be the truth, the whole truth and nothing but the truth [so help you God]?"

Begin Questioning

1. Do you understand the term command climate? How would you describe and characterize the current CLC-16 command climate?

-Yes. The command is characterized by micro-management, hostility, aggressiveness and off-comments which are intended to talk down about others.

2. Can you provide any examples of unprofessional conduct you have witnessed?

-January 2019 SNM witnessed CWO2 Lopez state to (b) (6) [redacted] "I'm not changing my leadership for anyone."

-To the best of SNM's recollection, in spring 2019 he witnessed CWO2 Lopez make unprofessional comments such as 'I'll take my blouse off and go to the MCMAP pit' or 'my staff sergeants aren't shit.'

-The company conducted an area beautification event in February 2020. (b) (6) [redacted] had a physical therapy appointment and was pulling weeds in civilian attire prior to her appointment which was approved by (b) (6) [redacted] CWO2 Lopez made the comment "I don't care if she has an appointment, but if you think you made the right decision [SSgt Collier], clearly you thought you had that authority."

-During the company's 0730 daily staff meeting, CWO2 Lopez arrives late 4 times on average by approximately 15 minutes. When he does arrive, he wears civilian attire to the meetings and eats his breakfast. The perception is that this conduct is acceptable for the officers, but not for the junior Marines.

-While SNM could not recall exact events, he stated he has heard CWO2 Lopez call other Marines derogatory names. If a Marine requested to go to medical or had a medical appointment CWO2 Lopez would state something similar to 'you're weak' or 'he's weak.'

3. Did you address your concerns regarding the command climate and CWO2 Lopez' professionalism as an officer to the SNCOs or company commander?

-Yes, SNM addressed CWO2 Lopez' consistent unprofessional conduct with the senior SNCOs, (b) (6) [redacted] but did not witness any changes in behavior.

ENCLOSURE (14)

-SNM did not address CWO2 Lopez' consistent unprofessional conduct with the company commander because the company commander is disengaged, always in his office, and never comes out onto the floor [maintenance area].

4. In your opinion and based upon your knowledge of him, is CWO2 Jose Lopez considered to be a Marine who upholds our Marine Corps' Core Values - Honor, Courage, Commitment? If not, why?

-No. CWO2 Lopez leads through fear and intimidation. CWO2 Lopez preaches that he 'leads, trains, and mentors' but (b) (6) [redacted] does not feel that is the case.

5. Do you feel comfortable that the statements you have made to me will not be the subject of retribution or reprisal by leadership within CLC-16? If you believe there might be retribution or reprisal committed against you, why?

-No, (b) (6) [redacted] believes CWO2 Lopez will find a way to retaliate against the Marines.

6. Is there anything you would like to add?

-SNM feels productivity, morale, and performance is lower since CWO2 Lopez' arrival to the unit. Marines are "emotionally compromised" after speaking with the chief warrant officer.

7. This interview ended at 1430, 4 March 2020.

The time is 1555 on 4 March 2020 at Room #9, Building 610, Marine Corps Air Station, Yuma, Arizona. Persons present are the witness (b) (6) [redacted]

(b) (6) [redacted]

(b) (6) [redacted]

Authorization for the IO to summarize the below testimony: Yes

The witness affirmed the following oath.

"Do you swear that the testimony you are about to give shall be the truth, the whole truth and nothing but the truth [so help you God]?"

Begin Questioning

1. Do you understand the term command climate? How would you describe and characterize the current CLC-16 command climate?

-Yes. "I would not recommend this command to any Marine and suggest they seek another unit." There is a double standard set by the leadership.

2. Can you provide any examples when you witnessed unprofessional conduct within the unit?

-CWO2 Lopez consistently wears civilian attire for the majority of the work day, however this would not be acceptable for a junior Marine.

-December 2019, CWO2 Lopez has called the SNCOs and platoon sergeant, (b) (6) [redacted] "idiots" in front of the junior Marines.

-CWO2 Lopez has threatened to "make the E5s into E4s".

-February 2020, during the Basic Skills Training CWO2 Lopez continued to question (b) (6) [redacted] regarding questions she did not have an answer to. He then stated "why don't you know this stuff" in a derogatory tone of voice. Additionally, he was laughing at (b) (6) [redacted] and messing with the printer in a manner which distracted the Marines from hearing (b) (6) [redacted] present her assigned BST class.

-PT on Friday's are considered "death runs" with CWO2 Lopez. "God forbid a Marine should fallout" because they will face "ridiculed". CWO2 Lopez has stated, "some just want to be diseases and drop their packs. Well that's just my opinion."

3. What does the company commander say during PT sessions? Does he intervene in order to make PT more of a team building event?

-No, I have not seen (b) (6) [redacted] at any PT sessions.

4. Did you address your concerns regarding the command climate and CWO2 Lopez' professionalism as an officer to the SNCOs or company commander?

-Yes, SNM has addressed CWO2 Lopez' less than professional attitude wth (b) (6) [redacted] and believes he did address the issues with CWO2 Lopez, however SNM has not seen any changes.

ENCLOSURE (15)

5. In your opinion and based upon your knowledge of him, is CWO2 Jose Lopez considered to be a Marine who upholds our Marine Corps' Core Values - Honor, Courage, Commitment? If not, why?

-No. He is unprofessional and has stated "I'm not going to change my ways. It's worked for me this long."

6. In your opinion and based upon your knowledge of him, is (b) (6) (b) (6) considered to be a Marine who upholds our Marine Corps' Core Values - Honor, Courage, Commitment? If not, why?

-Not fully. He is not committed to the Marines and not engaged. "He never comes out of his office."

7. Do you feel comfortable that the statements you have made to me will not be the subject of retribution or reprisal by leadership within CLC-16? If you believe there might be retribution or reprisal committed against you, why?

-No. There will be some form of retaliation. After the last command visit, CWO2 Lopez became "more bitter and snide. His comments, facial expressions and mannerisms got worse."

8. Is there anything you would like to add?

-Yes. The only positive change is when the CO, XO or SgtMaj visit, but that only lasts as long as they are on deck.

9. This interview ended at 1634, 4 March 2020.

The time is 1435 on 4 March 2020 at Room #9, Building 610, Marine Corps Air Station, Yuma, Arizona. Persons present are the witness (b) (6) [redacted]

(b) (6) [redacted]

(b) (6) [redacted]

Authorization for the IO to summarize the below testimony: Yes

The witness affirmed the following oath.

"Do you swear that the testimony you are about to give shall be the truth, the whole truth and nothing but the truth [so help you God]?"

Begin Questioning

1. Do you understand the term command climate? How would you describe and characterize the current CLC-16 command climate?

-Yes. SNM characterized the command climate as the "ideal place to be."

(b) (6) [redacted]

3. How would you describe the company executive officer's professionalism and interaction with the Marines?

-SNM states both he and CWO2 Lopez were hats at E Co, 2nd Battalion, MCRD San Diego, but at separate times. He believes he and CWO2 Lopez have a better relationship than others due to both being prior drill instructors.

-SNM stated, CWO2 Lopez is "tough but cares."

-SNM never witnessed or observed CWO2 Lopez yelling at junior Marines, but has seen him be direct when addressing any Marine.

-SNM stated CWO2 Lopez is "still learning his role as an officer and has really good aspects which need to be polished."

-CWO2 Lopez may set priorities, but the expectation is that normal daily battle rhythm tasks must still be executed to a high standard.

4. Have you ever seen CWO2 Lopez arrive late to a meeting?

-Yes, however he always texts one of the SNCOs notifying them that he is running late and has arrived in civilian attire on a few occasions.

-CWO2 Lopez would attend meetings in civilian attire, however this would be unacceptable for a sergeant or below and they would be ordered to change into the uniform of the day before coming to the meeting.

5. Were you present during the February 2020 BST classes and if so, what did you observe?

-Yes, SNM was at the BST classes. SNM recommended against proceeding with the classes because he didn't agree with the training because he felt it was rushed, they did not have time to acquire training aids, and they covered all BST topics in one day. However, the decision had been made by CWO2 Lopez to push forward anyway.

-SNM did observe CWO2 Lopez shaking his head while (b) (6) [redacted] was instructing her class. CWO2 Lopez was working on the printer in an attempt to get it to print. SNM did not observe CWO2 Lopez on his cell phone.

6. How would you assess the command climate since CWO2 Lopez' arrival?

-The command has changed for the better. CWO2 Lopez is actively engaged with the Marines and oftentimes supports the Marines without their knowledge. He has purchased softball bats and food for unit events such as Thanksgiving and Christmas dinner and never asked for money in return.

-SNM stated "CWO2 Lopez wants to see the Marines succeed and excel. He pushes them hard and will use negative reinforcement if he believes it will get the Marine to work harder and perform better.

-CWO2 Lopez has stated 'does it take me to get this done' or something to that effect, but this is an example of negative reinforcement.

7. In your opinion and based upon your knowledge of him, is CWO2 Jose Lopez considered to be a Marine who upholds our Marine Corps' Core Values - Honor, Courage, Commitment? If not, why?

-Yes. CWO2 Lopez is actively engaged with the Marines, conscious of their daily activities and he wants to see them succeed as Marines.

(b) (6) [redacted]

9. Do you feel comfortable that the statements you have made to me will not be the subject of retribution or reprisal by leadership within CLC-16? If you believe there might be retribution or reprisal committed against you, why?

-Yes.

10. Is there anything you would like to add?

-No.

11. This interview ended at 1545, 4 March 2020.

The time is 0900 on 5 March 2020 at Room #9, Building 610, Marine Corps Air Station, Yuma, Arizona. Persons present are the witness (b) (6) [redacted]

(b) (6) [redacted]

Authorization for the IO to summarize the below testimony: Yes

The witness affirmed the following oath.

"Do you swear that the testimony you are about to give shall be the truth, the whole truth and nothing but the truth [so help you God]?"

Begin Questioning

(b) (6) [redacted] opted to submit a written statement. Below are the questions he was asked.

1. Do you understand the term command climate? How would you describe and characterize the current CLC-16 command climate?

2. Did you receive a turnover from your predecessor? If so, how many work days?

3. How would you describe the performance of the NCOs and below?

4. How would you describe the performance of the SNCOs?

5. Have any of the junior Marines brought any command climate issues to your attention? If so, what did you do about it?

6. How would you describe CWO2 Lopez' conduct as a leader?

7. How would you describe Captain Matson's conduct as a leader?

8. Have you ever witnessed any Marines engaging in name-calling, demeaning, belittling or make derogatory comments about another individual?

9. How often is PT conducted at the unit and who leads them?

10. In your opinion and based upon your knowledge of him, is CWO2 Jose Lopez considered to be a Marine who upholds our Marine Corps' Core Values - Honor, Courage, Commitment? If not, why?

11. In your opinion and based upon your knowledge of him, is Captain Matson considered to be a Marine who upholds our Marine Corps' Core Values - Honor, Courage, Commitment? If not, why?

12. Do you feel comfortable that the statements you have made to me will not be the subject of retribution or reprisal by leadership within CLC-16? If you believe there might be retribution or reprisal committed against you, why?

13. Is there anything you would like to add?

14. This interview ended at 1000, 5 March 2020.

To whom it may concern

In June of 2019 I checked into CLC-16 from MWSS-371 and received a turnover from (b) (6) (b) (6) for the billet of Company 1stSgt. In a short period of time I could see that the Marines within the Company had a very tight bond with each other and was amazed at the amount of events that were conducted to help build on the comradery. Events such as Thanksgiving and Christmas party that were a part of CWO2 Lopez duties as a FRO, however he has also made it a point to ensure other company activities have been done in order to continue to build on the comradery such as float down, multiple breakfast for the Marines after PT events and others. When it comes to the Junior Marines, NCO and SNCO we have made it a point to ensure that Marines continue to improve on the recognition for their efforts, physical fitness, PME and MOS education. As for issues that were brought to me by Marines concerning CWO they were either non-conclusive, rectified, or used as a venting measure with the request of no action be taken. At no time was I ever informed or been witness to any issues that go against our core values or mistreatment of Marine within this company for any of the leadership within this company. Unlike most of the company I have the unique scope of what goes on "behind the scenes" when it comes to arranging and executing specific events. What others don't see is the countless hours that have been put into arranging and executing to complete the mission at hand but also ensure the wellbeing of the Marines and their family. On rare occasions I would participate in CWO2 Lopez PT sessions simply because I view it as a Platoon Commander conducting PT with his Marines and that I myself conduct Company 1stSgt Pt on Thursday at 1100 for close to an hour IOT give the Marines ample time to change over and eat chow. I run my PT for two reason 1. Give the Marine a different workout that is not same basic and boring PT that I use to despise as a Junior Marine and 2. To give the Marines the opportunity to come to me in a relax setting with no other leadership around. I do not know what accusations where made about the command leadership within the company, however I do know that when an issue is brought to our attention we make every effort to rectified it and ensure we conduct ourselves as professionals.

(b) (6)

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The time is 1005 on 5 March 2020 at Room #9, Building 610, Marine Corps Air Station, Yuma, Arizona. Persons present are the witness Chief Warrant Officer 2 Jose Lopez, CLC-16 Executive Officer.

Date Joined the Command: August 2018

Social Security Number (last 4) or EDIPI: 1277616625

Mobile/Email: 760-828-3319 / jose.c.lopez@usmc.mil

Authorization for the IO to summarize the below testimony: Yes

The witness affirmed the following oath.

"Do you swear that the testimony you are about to give shall be the truth, the whole truth and nothing but the truth [so help you God]?"

Begin Questioning

It should be noted that when the CWO2 Lopez started talking about taking care of his Marines he broke down crying. The quoted statements were reconstructed to the best of the IO's ability.

1. How would you describe and characterize the current CLC-16 command climate since your arrival to the unit?

-Upon reporting to the unit in August 2018, the command climate appeared to be good between the officers and enlisted Marines, however there was one incident in which the company commander, 1stLt Ontivero, took the Marines to a San Diego Padres baseball game and appeared in photos in which he and the junior Marines were highly intoxicated.

2. Did you attend this baseball game and what did you do about it?

-CWO2 Lopez did not attend the baseball game as he and his family had just arrived to the unit and were living in TLA. After the photos appeared, CWO2 Lopez addressed the issue with 1stLt Ontivero and was told it would be corrected. Shortly thereafter, 1stLt Ontivero PCS'd.

3. How would you describe the performance of the NCOs and below?

-CWO2 Lopez described the junior Marines' performance as proficient in their technical skills but require some "rudder steer" from time to time to continue improving.

-He did note that there is not a clear leadership divide between the corporals and lance corporals and he feels all of the junior Marines are too comfortable with the SNCOs.

-CWO2 Lopez stated he wants the Marines to be developed professionally and challenged so they are competitive on battalion-level boards.

4. How would you describe the performance of the SNCOs?

-CWO2 Lopez described the performance of the staff sergeants as average. They occasionally make poor decisions but considers it a learning opportunity.

-CWO2 Lopez described the performance of the gunnery sergeants as extremely knowledgeable and passionate Marines. They are proactive mentors who seek Marine development through PME and schools.

5. How would you describe the performance of the company commander?

-The company commander listens to recommendations and makes decisions. He does not come out of his office often and when he does he only engages with the Marines in a limited fashion. "It would be beneficial if he came out more."

6. During the daily 0730 staff meeting what is the uniform of the day?

-CWO2 Lopez stated there is not a set uniform of the day. If Marines are coming in from PT then they may wear their PT gear or boots and utility trousers. Civilian attire is only on a case-by-case basis.

-CWO2 Lopez is uncertain whether the Marines know this or not.

7. Did you direct the February 2020 BST?

-Yes. CWO2 Lopez stated he wanted the company to rise from 0% completion and directed on Wednesday or Thursday of that week that training would be held on Friday. He is uncertain as to when or how the Marines were assigned which classes they would teach.

-CWO2 Lopez did attend the classes and stated he was impressed by how much the instructors had improved in class presentations.

-Some Marines still require training to become better presenters. CWO2 Lopez states he recommended the Marines use the acronym "GOMES" which is Gain Attention, Overview, Method and Media, Evaluate, and Safety. He could not identify which Marines required additional training to become better presenters.

8. Did you ever take the Marines on an off-base run?

-Yes. We ran from the barracks to the U-haul and back. The run was conducted in civilian attire. They did not use a safety vehicle but had cell phones for emergency situations and each Marine carried a water source.

9. How often does the company commander participate in PT?

-CWO2 Lopez has only observed Captain Matson participate in 4-5 PT sessions.

10. Have you ever or witnessed any other Marine engage in name-calling, demeaning, belittling, or degrading comments directed at another individual?

-No. If I did, I would correct it.

11. Have you ever donate any money to the unit?

-Yes. I have donated my personal money to support unit events and activities such as the Halloween MWR event, the company Thanksgiving and Christmas dinner, and softball team.

12. Do you have anything to add at this time?

-Yes. CWO2 Lopez stated that he is demanding because he is passionate about taking care of the Marines and seeing their personal and professional growth. "It hurts me to see how hard they work and I don't want them to fail because of a PFT score. I know they should be Marine of the Quarter or NCO of the Quarter but are not selected because of a low score."

-CWO2 Lopez stated that he was informed of the alleged sexual harassment situation which is currently under investigation. He stated that he is professionally embarrassed because "We're supposed to protect our Marines. When this happens, we've failed to take care of them."

-CWO2 Lopez stated that he has experienced significant traumatic events during past OIF/OEF deployments. He has always contained them until recently. In January 2020, a close friend committed suicide. After his friend's passing, he began seeing a mental health specialist to deal with his issues.

13. Is there anything you would like to add?

-No.

14. This interview ended at 1135, 5 March 2020.

[redacted]

Authorization for the IO to summarize the below testimony: Yes

The witness affirmed the following oath.

"Do you swear that the testimony you are about to give shall be the truth, the whole truth and nothing but the truth [so help you God]?"

Begin Questioning

1. How would you describe and characterize the current CLC-16 command climate since your arrival to the unit?

-Upon reporting to the unit in September 2018, there were not any command climate issues. (b) (6) [redacted] the off-going company commander had some type of computer malfunction sometime during his tenure at CLC-16. Due to this issue, (b) (6) [redacted] began working from a desk in the S-3 office. This allowed him to interact directly with the Marines but also created an atmosphere in which the junior Marines felt comfortable enough to bypass their SNCOs.

(b) (6) [redacted]

3. How would you describe the performance of the NCOs and below?

(b) (6) [redacted] described the junior Marines' performance as above average. Some of them are solid performers who will be assets to the Marine Corps for years to come.

4. How would you describe the performance of the SNCOs?

(b) (6) [redacted] described the performance of the SNCOs as MOS proficient but still require development as leaders and provide the junior Marines with more mentorship. They do push the Marines to excel and oftentimes get ahead of the tasks before they become issues.

-At times it appears as if the staff sergeants treat the sergeants as peers.

(b) (6) [redacted]

(b) (6) [redacted]

5. How would you describe the performance of the executive officer?

-CWO2 Lopez is "rough around the edges" and working to make the full transition from enlisted to officer. (b) (6) [redacted] has verbally counseled CWO2 Lopez about his directness and mannerisms as they could be misconstrued and taken the wrong way by the Marines. CWO2 Lopez replied, "I don't mean to come across that way [to the Marines]."

6. Have you ever or witnessed any other Marine engage in name-calling, demeaning, belittling, or degrading comments directed at another individual?

-No. If I did, I would correct it.

7. What is CWO2 Lopez' involvement in unit functions?

-CWO2 Lopez is extremely involved in unit functions. He is a family oriented individual and volunteers regularly at his daughters' school. He takes care of the Marines the same way. He spends his own money to help support unit activities because he cares about the Marines and their families.

8. Do you have anything to add at this time?

-Yes. CWO2 Lopez is an extremely prideful Marine but he can take it too far to the point he becomes frustrated and emotional. He is perceived as "rougher than what he is" and still requires grooming and growth as an officer.

(b) (6) [redacted] stated that had he known there were existing problems he could have fixed them before it became a battalion-level issue.

9. This interview ended at 1340, 5 March 2020.

The time is 0855 on 9 March 2020 at Room #105, Building 430556, Camp Pendleton, California. Persons present are the witness (b) (6) [redacted]

(b) (6) [redacted]

Authorization for the IO to summarize the below testimony: Yes

The witness affirmed the following oath.

"Do you swear that the testimony you are about to give shall be the truth, the whole truth and nothing but the truth [so help you God]?"

Begin Questioning

1. Do you understand the term command climate? How would you describe and characterize the current CLC-16 command climate?

-Yes. It is a small unit with a "depressed vibe." There is no desire to go to work at the start of the day.

-SNM stated she has been receiving treatment from an MCCS counselor from Spring 2019 to January 2020 due to personal matters surrounding being in an abusive relationship (SNM has since divorced), financial issues, and due to the hostilities at CLC-16.

2. Can you provide any examples of personnel acting in an unprofessional manner?

-Yes. (b) (6) [redacted] called SNM a "piece of crap" and "I have never liked you" in front of other Marines because SNM went to NMCRS without informing her chain of command. SNM could not recall the date of this incident.

-SNM states she received a 6105 for receiving BAH when she resided in the Bachelor Enlisted Quarters. SNM stated she did reside in the barracks while finalizing her divorce. The BAH she received was used to pay Lincoln Military Housing during the period she and her ex-husband were vacating the premises. SNM did not feel as if the company-leadership properly researched this and issued her a 6105 unnecessarily.

-In October 2019 during the MCAS Halloween MWR event, CLC-16 set up a haunted house and maze. SNM stated CWO2 Lopez was in a bad mood and said "I'm not on my meds so I'm angry right now, let someone try to start something."

3. Did you address your concerns regarding the command climate and CWO2 Lopez' professionalism as an officer to the SNCOs or company commander?

-Yes. SNM addressed these issues with the SNCOs but does not feel as if it made a difference.

-No. SNM did not bring these issues to the company commander's attention.

4. In your opinion and based upon your knowledge of him, is CWO2 Jose Lopez considered to be a Marine who upholds our Marine Corps' Core Values - Honor, Courage, Commitment? If not, why?

-Yes. SNM stated CWO2 Lopez "has good intentions and cares but uses a drill instructor mentality." She wishes CWO2 Lopez could break away from the drill instructor mentality as it is hurting the unit.

5. Do you feel comfortable that the statements you have made to me will not be the subject of retribution or reprisal by leadership within CLC-16? If you believe there might be retribution or reprisal committed against you, why?

-Yes.

6. Is there anything you would like to add?

-No.

7. This interview ended at 0930, 9 March 2020.

PRIVACY ACT STATEMENT
This statement is provided in compliance with the provisions of the Privacy Act of 1974 (Public Law 93-579) which requires that Federal agencies must inform individuals who are requested to furnish personal information about themselves as to certain facts regarding the information requested below.

1. **AUTHORITY**: 44 U.S.C. § 3101; 5 U.S.C. § 301. Specify, if possible, other statutory authority listed below that is peculiarly applicable to the matter under investigation. Authorities applicable to various investigations:
a. Requirement that enlisted members make up time lost due to misconduct or abuse of drugs or alcohol. 10 U.S.C. § 972.
b. Retirement or separation for physical disability. 10 U.S.C. §§ 1201-1221.
c. Manual for Courts-Martial.
d. Uniform Code of Military Justice. 10 U.S.C. §§ 815, 832, 869, 873, 935, 936, and 938-940.
e. Military Claims Act. 10 U.S.C. § 2733.
f. Foreign Claims Act. 10 U.S.C. §§ 2734, 2734a, 2734b.
g. Emergency payment of claims. 10 U.S.C. § 2736.
h. Non-Scope claims. 10 U.S.C. § 2737.
i. Duties of Secretary of the Navy. 10 U.S.C. § 5013.
j. Duties of the Office Chief of Naval Operations. 10 U.S.C. §§ 5031-5033, 5035-5036.
k. Duties of the Bureaus and Offices of the Department of the Navy and duties of the Judge Advocate General. 10 U.S.C. §§ 5021-5024, 5131-5133, 5135, 5137-38, 5141-5142a, 5148-5150. Naval Justice School Publication 03/16 X-4
l. Duties of the Commandant of the Marine Corps. 10 U.S.C. § 5043.
m. Reservists' disability and death benefits. 10 U.S.C. § 1074.
n. Requirement of exemplary conduct. 10 U.S.C. § 5947.
o. Promotion of accident and occupational safety by Secretary of the Navy. 10 U.S.C. § 7205.
p. Admiralty claims. 10 U.S.C. § 7622-7623.
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r. Financial liability of accountable officers. 31 U.S.C. §§ 3521, 3527, 3531.
s. Military Personnel and Civilian Employees' Claims Act of 1964. 31 U.S.C. §§ 240-243.
t. Federal Claim Collection Acts. 31 U.S.C. §§ 3521, 3526, 3529, 3701-3702, 3717-3718.
u. Forfeiture of pay for time lost due to incapacitation caused by alcohol or drug use. 37 U.S.C. § 802.
v. Eligibility for certain veterans' benefits. 38 U.S.C. § 105.
w. Postal claims. 39 U.S.C. §§ 406, 2601.
x. Medical Care Recovery Act. 42 U.S.C. §§ 2651-2653.
y. Public Vessels Act. 46 U.S.C. §§ 31101-31113.
z. Suits in Admiralty Act. 46 U.S.C. §§ 30901-30918. aa. Admiralty Extension Act. 46 U.S.C. § 30101. bb. Transportation Safety Act. 49 U.S.C. § 1901.

2. **PRINCIPAL PURPOSE(S)**: The information which will be solicited is intended principally for the following purpose(s):

[the current command climate of CLC-16, 1st Maintenance Battalion]

a. Determinations on the status of personnel regarding entitlements to pay during disability, disability benefits, severance pay, retirement pay, increases of pay for longevity, survivor's benefits, involuntary extensions of enlistments, dates of expiration of active obligated service, and accrual of annual leave. Naval Justice School Publication 03/16 X-5
b. Determinations on disciplinary or punitive action.
c. Determinations on liability of personnel for losses of, or damage to, public funds or property.
d. Evaluation of petitions, grievances, and complaints.
e. Adjudication, pursuit, or defense of claims for or against the Government or among private parties.
f. Other determinations, as required, in the course of naval administration.
g. Public information releases.
h. Evaluation of procedures, operations, material, and designs by the Navy and contractors, with a view to improving the efficiency and safety of the Department of the Navy.

3. **ROUTINE USES**: In addition to being used within the Departments of the Navy and Defense for the purpose(s) indicated above, records of investigations are routinely furnished, as appropriate, to the Department of Veterans Affairs for use in determinations concerning entitlement to veterans' and survivors' benefits; to Servicemembers' Group Life Insurance administrators for determinations concerning payment of life insurance proceeds; to the U.S. General Accounting Office for purposes of determinations concerning relief of accountable personnel from liability for losses of public funds and related fiscal matters; and to the Department of Justice for use in litigation involving the Government. Additionally, such investigations are sometimes furnished to agencies of the Department of Justice and to State or local law enforcement and court authorities for use in connection with civilian criminal and civil court proceedings. The records

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The records are provided to contractors for use in connection with settlement, adjudication, or defense of claims by or against the Government, and for use in design and evaluation of products, services, and systems. The records are also furnished to agencies of the Federal, State, or local law enforcement authorities, court authorities, administrative authorities, and regulatory authorities, for use in connection with civilian and military criminal, civil, administrative, and regulatory proceedings and actions.

4. **MANDATORY/VOLUNTARY DISCLOSURE - CONSEQUENCES OF REFUSING TO DISCLOSE:**
a. Where disclosure is voluntary, as usually is the case, use one of the following statements, or a combination of the following statements, as applicable:
(1) Where an individual is a subject of an investigation for purpose 2a or 2b, above: "Disclosure is voluntary. You are advised that you are initially presumed to be entitled to have the (IO select) ***disciplinary determinations*** in paragraph 2, above, Naval Justice School Publication 03/16 X-6 resolved in your favor, but the final determination will be based on all the evidence in the investigative record. If you do not provide the requested information, you will be entitled to a favorable determination if the record does not contain sufficient evidence to overcome the presumption in your favor. If the completed record does contain sufficient evidence to overcome the presumption in your favor, however, your election not to provide the requested information possibly could prevent the investigation from obtaining evidence, which may be needed to support a favorable determination."
(2) Where an individual is a subject of an investigation for purpose 2c, above: "Disclosure is voluntary, and if you do not provide the requested information, any determination as to whether you should be held liable for repayment of the Government's loss would be based on the other evidence in the investigative record."
(3) Where the individual is a claimant or potential claimant in an investigation for purpose 2e, above: "Disclosure is voluntary, but refusal to disclose the requested information could prevent the investigation from obtaining sufficient information to substantiate any claim which you have made or may make against the Government as a result of the incident under investigation."
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(5) In any other case: "Disclosure is voluntary, and if you do not provide the requested information, any determinations or evaluations made as a result of the investigation will be made on the basis of the evidence that is contained in the investigative record."

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[redacted]

(b) (6)

[redacted]

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3. Since I will ask you to provide your social security number or EDIPI to help identify you as the person testifying, I am providing you a Privacy Act Statement to sign. Do you understand it?

Options:

[X] Witness stated "yes" and signed it

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4. I am directing you not to discuss the circumstances of this investigation or this interview with anyone other than the Commanding Officer or myself, the investigating officer.

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"Do you swear that the testimony you are about to give shall be the truth, the whole truth, and nothing but the truth, so help you [God]?"

Options:

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[ ] Witness stated "no"

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Current Billet (if mil/government):

Date Joined the Command (if mil/government)

SSN (last four) or EDIPI:

Contact information (telephone/email):

(b) (6)

[redacted]

(b) (6)

[redacted]

(b) (6)

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(b) (6)

[redacted]

PRIVACY ACT STATEMENT
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1. **AUTHORITY**: 44 U.S.C. § 3101; 5 U.S.C. § 301. Specify, if possible, other statutory authority listed below that is peculiarly applicable to the matter under investigation. Authorities applicable to various investigations:
a. Requirement that enlisted members make up time lost due to misconduct or abuse of drugs or alcohol. 10 U.S.C. § 972.
b. Retirement or separation for physical disability. 10 U.S.C. §§ 1201-1221.
c. Manual for Courts-Martial.
d. Uniform Code of Military Justice. 10 U.S.C. §§ 815, 832, 869, 873, 935, 936, and 938-940.
e. Military Claims Act. 10 U.S.C. § 2733.
f. Foreign Claims Act. 10 U.S.C. §§ 2734, 2734a, 2734b.
g. Emergency payment of claims. 10 U.S.C. § 2736.
h. Non-Scope claims. 10 U.S.C. § 2737.
i. Duties of Secretary of the Navy. 10 U.S.C. § 5013.
j. Duties of the Office Chief of Naval Operations. 10 U.S.C. §§ 5031-5033, 5035-5036.
k. Duties of the Bureaus and Offices of the Department of the Navy and duties of the Judge Advocate General. 10 U.S.C. §§ 5021-5024, 5131-5133, 5135, 5137-38, 5141-5142a, 5148-5150. Naval Justice School Publication 03/16 X-4
l. Duties of the Commandant of the Marine Corps. 10 U.S.C. § 5043.
m. Reservists' disability and death benefits. 10 U.S.C. § 1074.
n. Requirement of exemplary conduct. 10 U.S.C. § 5947.
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2. **PRINCIPAL PURPOSE(S)**: The information which will be solicited is intended principally for the following purpose(s):

[the current command climate of CLC-16, 1st Maintenance Battalion]

a. Determinations on the status of personnel regarding entitlements to pay during disability, disability benefits, severance pay, retirement pay, increases of pay for longevity, survivor's benefits, involuntary extensions of enlistments, dates of expiration of active obligated service, and accrual of annual leave. Naval Justice School Publication 03/16 X-5
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3. **ROUTINE USES**: In addition to being used within the Departments of the Navy and Defense for the purpose(s) indicated above, records of investigations are routinely furnished, as appropriate, to the Department of Veterans Affairs for use in determinations concerning entitlement to veterans' and survivors' benefits; to Servicemembers' Group Life Insurance administrators for determinations concerning payment of life insurance proceeds; to the U.S. General Accounting Office for purposes of determinations concerning relief of accountable personnel from liability for losses of public funds and related fiscal matters; and to the Department of Justice for use in litigation involving the Government. Additionally, such investigations are sometimes furnished to agencies of the Department of Justice and to State or local law enforcement and court authorities for use in connection with civilian criminal and civil court proceedings. The records

of investigations are provided to agents and authorized representatives of persons involved in the incident, for use in legal or administrative matters.
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(5) In any other case: "Disclosure is voluntary, and if you do not provide the requested information, any determinations or evaluations made as a result of the investigation will be made

(b) (6) [redacted] the investigative record."

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Full Name:

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[the current command climate of CLC-16, 1st Maintenance Battalion]

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3. Since I will ask you to provide your social security number or EDIPI to help identify you as the person testifying, I am providing you a Privacy Act Statement to sign. Do you understand it?

Options:

[✓] **Witness stated "yes" and signed it**

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1. **AUTHORITY:** 44 U.S.C. § 3101; 5 U.S.C. § 301. Specify, if possible, other statutory authority listed below that is peculiarly applicable to the matter under investigation. Authorities applicable to various investigations:

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b. Retirement or separation for physical disability. 10 U.S.C. §§ 1201-1221.
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d. Uniform Code of Military Justice. 10 U.S.C. §§ 815, 832, 869, 873, 935, 936, and 938-940.
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[the current command climate of CLC-16, 1st Maintenance Battalion]

a. Determinations on the status of personnel regarding entitlements to pay during disability, disability benefits, severance pay, retirement pay, increases of pay for longevity, survivor's benefits, involuntary extensions of enlistments, dates of expiration of active obligated service, and accrual of annual leave. Naval Justice School Publication 03/16 X-5
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g. Public information releases.
h. Evaluation of procedures, operations, material, and designs by the Navy and contractors, with a view to improving the efficiency and safety of the Department of the Navy.

3. **ROUTINE USES:** In addition to being used within the Departments of the Navy and Defense for the purpose(s) indicated above, records of investigations are routinely furnished, as appropriate, to the Department of Veterans Affairs for use in determinations concerning entitlement to veterans' and survivors' benefits; to Servicemembers' Group Life Insurance administrators for determinations concerning payment of life insurance proceeds; to the U.S. General Accounting Office for purposes of determinations concerning relief of accountable personnel from liability for losses of public funds and related fiscal matters; and to the Department of Justice for use in litigation involving the Government. Additionally, such investigations are sometimes furnished to agencies of the Department of Justice and to State or local law enforcement and court authorities for use in connection with civilian criminal and civil court proceedings. The records

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4. **MANDATORY/VOLUNTARY DISCLOSURE - CONSEQUENCES OF REFUSING TO DISCLOSE:**
a. Where disclosure is voluntary, as usually is the case, use one of the following statements, or a combination of the following statements, as applicable:
(1) Where an individual is a subject of an investigation for purpose 2a or 2b, above: "Disclosure is voluntary. You are advised that you are initially presumed to be entitled to have the (IO select) ***disciplinary determinations*** in paragraph 2, above, Naval Justice School Publication 03/16 X-6 resolved in your favor, but the final determination will be based on all the evidence in the investigative record. If you do not provide the requested information, you will be entitled to a favorable determination if the record does not contain sufficient evidence to overcome the presumption in your favor. If the completed record does contain sufficient evidence to overcome the presumption in your favor, however, your election not to provide the requested information possibly could prevent the investigation from obtaining evidence, which may be needed to support a favorable determination."
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3. Since I will ask you to provide your social security number or EDIPI to help identify you as the person testifying, I am providing you a Privacy Act Statement to sign. Do you understand it?

Options:

[✓] Witness stated "yes" and signed it

[ ] Witness stated "yes" and I noted this for them in their absence (phone call)

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4. I am directing you not to discuss the circumstances of this investigation or this interview with anyone other than the Commanding Officer or myself, the investigating officer.

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"Do you swear that the testimony you are about to give shall be the truth, the whole truth, and nothing but the truth, so help you [God]?"

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6. Please state your:

Full Name:

Rank (if mil/government):

Current Organization (if mil/government):

Current Billet (if mil/government):

Date Joined the Command (if mil/government)

SSN (last four) or EDIPI:

Contact information (telephone/email):

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y. Public Vessels Act. 46 U.S.C. §§ 31101-31113.
z. Suits in Admiralty Act. 46 U.S.C. §§ 30901-30918. aa. Admiralty Extension Act. 46 U.S.C. § 30101. bb. Transportation Safety Act. 49 U.S.C. § 1901.

2. **PRINCIPAL PURPOSE(S):** The information which will be solicited is intended principally for the following purpose(s):

[the current command climate of CLC-16, 1st Maintenance Battalion]

a. Determinations on the status of personnel regarding entitlements to pay during disability, disability benefits, severance pay, retirement pay, increases of pay for longevity, survivor's benefits, involuntary extensions of enlistments, dates of expiration of active obligated service, and accrual of annual leave. Naval Justice School Publication 03/16 X-5
b. Determinations on disciplinary or punitive action.
c. Determinations on liability of personnel for losses of, or damage to, public funds or property.
d. Evaluation of petitions, grievances, and complaints.
e. Adjudication, pursuit, or defense of claims for or against the Government or among private parties.
f. Other determinations, as required, in the course of naval administration.
g. Public information releases.
h. Evaluation of procedures, operations, material, and designs by the Navy and contractors, with a view to improving the efficiency and safety of the Department of the Navy.

3. **ROUTINE USES:** In addition to being used within the Departments of the Navy and Defense for the purpose(s) indicated above, records of investigations are routinely furnished, as appropriate, to the Department of Veterans Affairs for use in determinations concerning entitlement to veterans' and survivors' benefits; to Servicemembers' Group Life Insurance administrators for determinations concerning payment of life insurance proceeds; to the U.S. General Accounting Office for purposes of determinations concerning relief of accountable personnel from liability for losses of public funds and related fiscal matters; and to the Department of Justice for use in litigation involving the Government. Additionally, such investigations are sometimes furnished to agencies of the Department of Justice and to State or local law enforcement and court authorities for use in connection with civilian criminal and civil court proceedings. The records

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4. **MANDATORY/VOLUNTARY DISCLOSURE - CONSEQUENCES OF REFUSING TO DISCLOSE:**
a. Where disclosure is voluntary, as usually is the case, use one of the following statements, or a combination of the following statements, as applicable:
(1) Where an individual is a subject of an investigation for purpose 2a or 2b, above: "Disclosure is voluntary. You are advised that you are initially presumed to be entitled to have the (IO select) ***disciplinary determinations*** in paragraph 2, above, Naval Justice School Publication 03/16 X-6 resolved in your favor, but the final determination will be based on all the evidence in the investigative record. If you do not provide the requested information, you will be entitled to a favorable determination if the record does not contain sufficient evidence to overcome the presumption in your favor. If the completed record does contain sufficient evidence to overcome the presumption in your favor, however, your election not to provide the requested information possibly could prevent the investigation from obtaining evidence, which may be needed to support a favorable determination."
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(b) (6)

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3. Since I will ask you to provide your social security number or EDIPI to help identify you as the person testifying, I am providing you a Privacy Act Statement to sign. Do you understand it?

Options:

[X] Witness stated "yes" and signed it

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"Do you swear that the testimony you are about to give shall be the truth, the whole truth, and nothing but the truth, so help you [God]?"

Options:

[X] Witness affirmed

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6. Please state your:

Full Name:

Rank (if mil/government):

Current Organization (if mil/government):

Current Billet (if mil/government):

Date Joined the Command (if mil/government)

SSN (last four) or EDIPI:

Contact information (telephone/email):

(b) (6)

[redacted]

(b) (6)

[redacted]

PRIVACY ACT STATEMENT
This statement is provided in compliance with the provisions of the Privacy Act of 1974 (Public Law 93-579) which requires that Federal agencies must inform individuals who are requested to furnish personal information about themselves as to certain facts regarding the information requested below.

1. **AUTHORITY**: 44 U.S.C. § 3101; 5 U.S.C. § 301. Specify, if possible, other statutory authority listed below that is peculiarly applicable to the matter under investigation. Authorities applicable to various investigations:
a. Requirement that enlisted members make up time lost due to misconduct or abuse of drugs or alcohol. 10 U.S.C. § 972.
b. Retirement or separation for physical disability. 10 U.S.C. §§ 1201-1221.
c. Manual for Courts-Martial.
d. Uniform Code of Military Justice. 10 U.S.C. §§ 815, 832, 869, 873, 935, 936, and 938-940.
e. Military Claims Act. 10 U.S.C. § 2733.
f. Foreign Claims Act. 10 U.S.C. §§ 2734, 2734a, 2734b.
g. Emergency payment of claims. 10 U.S.C. § 2736.
h. Non-Scope claims. 10 U.S.C. § 2737.
i. Duties of Secretary of the Navy. 10 U.S.C. § 5013.
j. Duties of the Office Chief of Naval Operations. 10 U.S.C. §§ 5031-5033, 5035-5036.
k. Duties of the Bureaus and Offices of the Department of the Navy and duties of the Judge Advocate General. 10 U.S.C. §§ 5021-5024, 5131-5133, 5135, 5137-38, 5141-5142a, 5148-5150. Naval Justice School Publication 03/16 X-4
l. Duties of the Commandant of the Marine Corps. 10 U.S.C. § 5043.
m. Reservists' disability and death benefits. 10 U.S.C. § 1074.
n. Requirement of exemplary conduct. 10 U.S.C. § 5947.
o. Promotion of accident and occupational safety by Secretary of the Navy. 10 U.S.C. § 7205.
p. Admiralty claims. 10 U.S.C. § 7622-7623.
q. Federal Tort Claims Act. 28 U.S.C. §§ 1346, 2671-2680.
r. Financial liability of accountable officers. 31 U.S.C. §§ 3521, 3527, 3531.
s. Military Personnel and Civilian Employees' Claims Act of 1964. 31 U.S.C. §§ 240-243.
t. Federal Claim Collection Acts. 31 U.S.C. §§ 3521, 3526, 3529, 3701-3702, 3717-3718.
u. Forfeiture of pay for time lost due to incapacitation caused by alcohol or drug use. 37 U.S.C. § 802.
v. Eligibility for certain veterans' benefits. 38 U.S.C. § 105.
w. Postal claims. 39 U.S.C. §§ 406, 2601.
x. Medical Care Recovery Act. 42 U.S.C. §§ 2651-2653.
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6. Please state your:

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Current Billet (if mil/government):

Date Joined the Command (if mil/government)

SSN (last four) or EDIPI:

Contact information (telephone/email):

(b) (6)

[redacted]

(b) (6)

[redacted]

4. In your opinion and based upon your knowledge of him, is CWO2 Jose Lopez considered to be a Marine who upholds our Marine Corps' Core Values - Honor, Courage, Commitment? If not, why?

-Yes. SNM stated CWO2 Lopez "means well, but still acts like he's enlisted." He has good intentions and wants the best for the Marines. He "just doesn't recognize that his mannerisms negatively impact the Marines he speaks to.

5. Do you feel comfortable that the statements you have made to me will not be the subject of retribution or reprisal by leadership within CLC-16? If you believe there might be retribution or reprisal committed against you, why?

-No. SNM feels that if she would return to CLC-16 then there would be a negative perception surrounding her.

6. Is there anything you would like to add?

-Yes. SNM stated she used to be able to take to the Marines at CLC-16 and take personal and professional matters to the command. Currently, she does not have the trust to take any issue to the officers or SNCOs because they "pass judgement."

7. This interview ended at 1030, 10 March 2020.

The time is 1000 on 10 March 2020 at Room #105, Building 430556, Camp Pendleton, California. Persons present are the witness (b) (6) [redacted]

(b) (6) [redacted]

Authorization for the IO to summarize the below testimony: Yes

The witness affirmed the following oath.

"Do you swear that the testimony you are about to give shall be the truth, the whole truth and nothing but the truth [so help you God]?"

Begin Questioning

1. Do you understand the term command climate? How would you describe and characterize the current CLC-16 command climate?

-Yes. Upon (b) (6) [redacted] arrival in March 2017 she believed the unit to be tight knit with great communications up and down the chain of command. She felt as if she could take any personal or professional issue to the officers and SNCOs.

-After (b) (6) [redacted] and CWO2 Lopez' arrival there was a distinct shift in the camaraderie. The unit's morale was low and everyone walked around on eggshells.

2. Can you provide any examples of personnel acting in an unprofessional manner?

-Yes. CWO2 Lopez wears civilian attire during the majority of the work day. At the end of the day, he will change into civilian attire a couple hours prior to departing for the day.

-January 2020, SNM witnessed CWO2 Lopez yelling at (b) (6) [redacted] (b) (6) [redacted] CWO2 Lopez stated "who the fuck is running PT? I guess no one gives a shit about the Marines around here."

-February 2020, SNM was assisting in the removal of an oil cap from an MMV which was stripped. (b) (6) [redacted] the Maintenance Chief, directed the Marines to pull the Technical Manual and see if it provided any guidance on how to extract the stripped oil cap. Upon learning of this, CWO2 Lopez called the Marines "dumb" for using the TM because that type of information is not contained within the publication. The Marines felt defeated because they were simply following the orders of the Maintenance Chief.

3. Did you address your concerns regarding the command climate and CWO2 Lopez' professionalism as an officer to the SNCOs or company commander?

-Yes. SNM addressed these issues with [redacted] but feels there has not been any progress.

-No. SNM did not bring these issues to the company commander's attention.

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