UNITED STATES MARINE CORPS
3D MARINE DIVISION, FMF
III MARINE EXPEDITIONARY FORCE
UNIT 35801
FPO AP 96382-5801

IN REPLY REFER TO:
5354
EOA
JUL 27 2021

FINAL ENDORSEMENT on [redacted] ltr 5830 of 7 May 21

From: Commanding General, 3d Marine Division
To: Files

Subj: FINAL REPORT OF THE COMPLAINT OF PROHIBITED ACTIVITY AND CONDUCT DASH CASE NUMBER 002021000240

Ref: (a) MCO 5354.1E w/Admin

1. Per the reference, the Commander who convened the investigation is the decision authority for substantiating any prohibited activity and conduct. I have hereby acknowledge receipt of this report for my review.

2. The point of contact at this command is [redacted] Equal Opportunity Advisor, 3d Marine Division at DSN 315-622-7654 or email at [redacted]@usmc.mil

J. W. BIERMAN

Copy to:
CO, 3d Marine Regiment

UNITED STATES MARINE CORPS
3D MARINE REGIMENT
3D MARINE DIVISION, FMF
BOX 63004
MCBH KANEOHE BAY HI 96863 3004

IN REPLY REFER TO:
5830
CO
14 Jun 21

FIRST ENDORSEMENT on [redacted]' ltr 5830 of 7 May 21

From: Commanding Officer, 3d Marine Regiment
To: Commanding General, 3d Marine Division

Subj: COMMAND INVESTIGATION INTO THE FACTS AND CIRCUMSTANCES SURROUNDING THE PROHIBITED ACTIVITIES AND CONDUCT COMPLAINT DATED 22 MAR 21

1. I have reviewed this investigation and concur with the Investigating Officer's findings of fact, opinions, and recommendations.

2. I am recommending the Commanding General issue a Non-Punitive Letter of Caution to [redacted] for unprofessional conduct and poor judgment.

3. The point of contact for this matter is [redacted] at 808-257-1916 or via email at [redacted] @usmc.mil.

[redacted]

UNITED STATES MARINE CORPS
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IN REPLY REFER TO:
5830
SJA
27 May 21

LEGAL SUFFICIENCY REVIEW

From: Staff Judge Advocate, 3d Marine Division
To: Commanding Officer, 3d Marine Regiment

Subj: COMMAND INVESTIGATION INTO THE FACTS AND CIRCUMSTANCES SURROUNDING THE PROHIBITED ACTIVITIES AND CONDUCT COMPLAINT DATED 22 MAR 21

1. I have reviewed the subject investigation, which complies with all applicable legal and administrative requirements and adequately addresses the matters in the complaint. The evidence supports the investigating officer's (IO) findings, which are consistent with his opinion and recommendation. There are no errors or irregularities in this case.

2. I concur with the IO that (b) (3) (B), (b) (6) did not violate the prohibited activities and conduct order. However, I also concur that (b) (3) (B), (b) (6) acted unprofessionally towards (b) (3) (B), (b) [redacted] on several occasions. I agree with the IO's recommendation that (b) (3) (B), (b) (6) receive a non-punitive letter of caution for his unprofessional behavior.

3. The point of contact for this matter is the Staff Judge Advocate, 3d Marine Division, Colonel (b) (3) (B), (b) (6), at DSN (315) 622-9055.

(b) (3) (B), (b) (6)

UNITED STATES MARINE CORPS
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IN REPLY REFER TO:
5354
EAO
29 May 21

From: Equal Opportunity Advisor, 3d Marine Division
To: Commanding Officer, 3d Marine Regiment

SUBJ: EOA COMPLIANCE REVIEW OF THE COMMAND INVESTIGATION INTO THE FACTS AND CIRCUMSTANCES OF THE COMPLAINT ANALYSIS OF PROHIBITED ACTIVITIES AND CONDUCT ALLEGATIONS ICO DASH 002021000240

Ref: (a) MCO 5354.1E w/Admin

Encl: CI ICO DASH 002021000240

1. Per the reference, an Equal Opportunity Compliance review of the complete Command Investigation (CI) Report of Investigation (ROI) in the case of DASH 002021000240.

2. Issue: The following issues are noted:

a. Did (b) (3) (B), (b) (6) [redacted] (b) (3) (B), (b) (6) /0302 USMC allegedly bully (b) (3) (B), (b) (6) [redacted], by intentionally and without proper authority, but with nexus to military service, belittled, humiliated, degraded, or damaged (b) (3) (B), (b) (6) [redacted] reputation, diminishing his dignity, position, or status, and without intervention, the conduct could continue without a specific endpoint or event, in violation of the reference?

3. Application: The following observations are noted:

a. All accepted allegations of prohibited activity and conduct were addressed in the ROI.

b. The ROI included a review of the circumstances under which the alleged prohibited activity and conduct occurred.

c. The investigation include an analysis of how the victim was treated compared to others within the complainant's demographic group and with those of other demographic groups.

d. There is no evidence of bias by the Investigating Officer (IO).

e. There is no evidence the complainant rather than the alleged prohibited activity and conduct was investigated.

6. Point of contact. For questions, contact the 3d Marine Division Equal Opportunity Advisor, (b) (3) (B), (b) (6) [redacted] at email (b) (3) (B), (b) (6) [redacted] @usmc.mil; or DSN: 315-622-7654.

(b) (3) (B), (b) (6) [redacted]