

November 24, 2023

## **SUMMARY OF COMMENTS TO BE PROVIDED AT THE DECEMBER 6, 2023 DAC-IPAD MEETING**

I provide this summary of the public comments I intend to provide at the Defense Advisory Committee on Investigations, Prosecution, and Defense of Sexual Assault in the Armed Forces (DAC-IPAD) December 6, 2023 meeting. This summary is in addition to papers I have either co-authored or authored, which I will also be submitting to the DAC-IPAD prior to the December 6, 2023 meeting, in preparation for the public comments I will be giving regarding the proper vetting, monitoring, and training of the Lead Special Trial Counsel (and of the personnel entrusted to their care) in the newly formed Offices of Special Trial Counsel.

In addressing the DAC-IPAD, I will provide information regarding the specific adverse effects<sup>1</sup> I experienced from assignment under, and from specific interactions I had with, the Army's Lead Special Trial Counsel<sup>2</sup>, when I was a subordinate Soldier of his from 2012 to 2014,<sup>3</sup> up through the second phone call I had with him on September 21, 2022 and during the timeframe in which I understand he would likely have been pending selection for the Army's inaugural Lead Special Trial Counsel position.

Having endured the Army/Department of Defense Inspector General investigatory process I participated in regarding the Army's Lead Special Trial Counsel, during which time I experienced additional adverse emotional and psychological effects, I appreciate the possibility that my trauma response, to the Army's Lead Special Trial Counsel's conduct and statements toward me and to the investigatory process, may precede my comments to the DAC-IPAD. As a criminal defense attorney, I have not been and am not averse to getting to the real issues and to long-term solutions to those real issues, even if that means a possible risk to ego; I come to this meeting having fortified my sense of self and boundaries to the nth degree after beginning trauma counseling six days after my September 21, 2022 call with the Army's Lead Special Trial Counsel, and continuing with that counseling to present day. Moreover, I come to this meeting much less for myself and more for the individuals I hope and believe my comments can help protect and for the military justice system I hope and believe my comments can aid in improving, even if the DAC-IPAD is receptive to only some of my comments and recommendations.

As one member of the American public, as a mother to a daughter, as a Veteran of our Armed Forces, and as a criminal defense attorney who advocates for fairness, I sincerely

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<sup>1</sup> Some of these adverse effects having been realized in the moment and some having been realized and having manifested later, after additional information and exposure to the individual who is now the Army's Lead Special Trial Counsel.

<sup>2</sup> The Army's Lead Special Trial Counsel was not, as far as I understand, the Army's Lead Special Trial Counsel until approximately January 2023.

<sup>3</sup> I was also subject to assignment by the Army's Lead Special Trial Counsel when he was at the Army JAG Corps' Personnel, Plans & Training Office (PP&TO), in charge of Captains' assignments during 2010 to 2012, just before I fell under his direct leadership in 2012.

appreciate the DAC-IPAD's mandate and its willingness to hear difficult information, the provision of which is intended to contribute to meaningful, positive change for everyone serving in the U.S. military. No U.S. Service Member should have to question their physical, emotional, or psychological safety because of anyone serving next to them, or because of anyone charged with appropriately taking care of them as a senior military leader.

A handwritten signature in black ink that reads "Barbara A. Snow". The signature is written in a cursive, flowing style.

Barbara A. Snow, Esq.  
U.S. Army Veteran

**Barbara A. Snow, Esq.**

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- Jun. '14 – Present      **Defense Attorney, *Snow Criminal Defense, LLC, Longmont, CO***
- Represent defendants in Colorado state court postconviction matters and criminal appeals.
  - Represented respondent parents in dependency and neglect cases throughout Colorado at the appellate level.
  - Represented respondent parents in dependency and neglect cases pending in Denver County at the trial level.
  - Mentor less experienced attorneys in criminal and dependency and neglect cases.
- Jul. '12 – May '14      **Trial Defense Counsel, *U.S. Army Trial Defense Service, Ft. Riley, KS***
- Advocated for military accused in bench trials, contested panel cases and guilty pleas involving a broad spectrum of offenses, including premeditated murder, fraud, sexual assault, illicit drug use and possession, and military-specific crimes.
  - Researched, drafted, and argued numerous pre-trial motions.
  - Actively investigated clients' cases with assistance of investigator.
  - Secured full acquittals in almost fifty percent of tried cases.
- Jul. '09 – Jun. '12      **Appellate Counsel, *U.S. Army Defense Appellate Division, Ft. Belvoir, VA***
- Represented over 100 soldiers in criminal appeals before the United States Army Court of Criminal Appeals (ACCA) and the United States Court of Appeals for the Armed Forces (CAAF).
  - Filed over 100 substantive briefs on behalf of clients, raising a variety of assignments of error resulting in relief for a number of clients, to include the setting aside and dismissal of charges.
  - Made oral arguments before the ACCA and the CAAF.
- Jan. '09 – Jun. '09      **Administrative Law Attorney, *Ft. Drum, NY***
- Advised senior military leaders and Department of Defense (DoD) civilians on administrative law actions pertaining to the functioning of the Fort Drum military installation.
  - Planned and facilitated a week-long fiscal law course for DoD civilians engaged in government contract work.
  - Served as a military magistrate responsible for issuing search and seizure authorizations to military police and investigators.
- Jun. '08 – Dec. '08      **Chief, Administrative Law Division, *Southern Baghdad, Iraq***
- Advised the Commanding General's G4 (logistics) section on the statutes and regulations authorizing and restricting the transfer of U.S. property to the Iraqi government during the initial phases of the drawdown in Iraq.
  - Advised officers conducting investigations into Soldiers' deaths, lost and stolen military equipment, and negligent discharges.



**Barbara A. Snow, Esq.**

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- Participated as one of three members on a detainee review board charged with determining whether mid-level detainees from other nations should be released.

Jun. '07 – May '08

**Prosecutor/Special Assistant to the United States Attorney, Ft. Drum, NY**

- Prosecuted sexual assault and military-specific cases on behalf of the government.
- Represented the government as a SAUSA in contested jury trials and in numerous misdemeanor cases resulting in plea agreements before the U.S. District Court, Northern District of New York.
- Assisted an AUSA during a grand jury proceeding resulting in the federal indictment of a soldier for possession of explosive device paraphernalia.
- Trained military police on Fourth Amendment search and seizure law.

Apr. '06 – May '07

**Legal Assistance Attorney, Ft. Drum, NY**

- Advised over 600 Soldiers, military dependents, and DoD employees in a myriad of civil law matters.
- Successfully represented a civilian DoD employee in an investigation pertaining to the loss of high-dollar military equipment.
- Ran installation tax center.

Aug. '00 – Dec. '05

**Paralegal, Kepple, Morgan & Avena, P.C., Pawcatuck, CT**

- Primary paralegal to partner in a general law practice focused primarily on municipal law and criminal defense throughout duration of law school studies.
- Researched legal precedence, drafted legal memoranda, pleadings and briefs for civil court cases, and prepared interrogatories and responses to interrogatories.
- Responsible for organizing and tracking the status of partner's substantial caseload.

**EDUCATION**

*Roger Williams University School of Law, Bristol, Rhode Island*

Juris Doctor, May 2005

*Macalester College, St. Paul, Minnesota*


Bachelor of Arts, Psychology, May 1998

Bachelor of Arts, Anthropology, May 1998

Current Studies with Harvard Extension School, working toward Master of Liberal Arts in Extension Studies, field: Government



Barbara A. Snow, Esq.



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**BAR ADMISSIONS**

Supreme Court of the State of Connecticut, October 2005  
United States Army Court of Criminal Appeals, July 2009  
United States Court of Appeals for the Armed Forces, August 2009  
United States Supreme Court, January 2010  
Supreme Court of the State of Colorado, August 2015  
United States Navy-Marine Corps Court of Criminal Appeals, September 2015  
United States Air Force Court of Criminal Appeals, October 2015

**EMPLOYMENT HISTORY**

2014 – Present	<i>Managing Member and Attorney, Snow Criminal Defense, LLC</i>
2014 – 2017	<i>Judge Advocate, United States Army Judge Advocate General's Corps (Reserves)</i>
2006 – 2014	<i>Judge Advocate, United States Army Judge Advocate General's Corps</i>
2000 – 2005	<i>Paralegal, Kepple, Morgan &amp; Avena, P.C.</i>

**SPECIAL (NON-MOS) MILITARY TRAINING**

2006	Air Assault School (qualification earned).
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**Narcissistic Abuse: Information Military Justice Practitioners and Department of Defense Policy Makers and Other Stakeholders Should Know Regarding Emotional, Psychological, Spiritual and Financial Abuse Within the United States Military**

Barbara A. Snow, Esq., USA Army Veteran  
Monica Peterson, MBA, M.Div.

**“Power tends to corrupt and absolute power corrupts absolutely.”**

- Lord Acton

The first-named author provides this white paper, not as an expert formally trained in the field of Psychology, but rather as a former military, now civilian criminal defense attorney. This paper is written after much research, in collaboration with Monica L. Peterson, M.B.A., M.Div., Founder and Chief Operating Officer of the nonprofit Narcissistic Abuse Recovery Center (N.A.R.C.) and President of the for-profit Narcissistic Abuse Institute (focused primarily on research), and it is additionally informed by both authors' lived experiences with narcissistic abuse, processed through trauma work.<sup>1</sup>

The intent of this paper is to contribute to military justice practitioners', the DAC-IPAD's, and the larger Department of Defense's understanding of the phenomenon of narcissistic abuse, a means by which the United States' ability to fight and win the nation's wars and to otherwise contribute to maintaining national security is weakened by its contributions to (1) Active Duty Service Members' (and Veterans') suicides; (2) higher Service Member attrition rates; (3) recruitment shortfalls; and, (4) crimes and other acts of violence committed against Service Members, DoD civilians and others by narcissistic abusers subject to the UCMJ and to administrative discipline. An operational understanding of narcissistic abuse, which is a detracting and demoralizing force acting against Service Members' and DoD personnel's ability to perform their duties, and which is a mechanism by which interpersonal violence directed at U.S. Service Members (and DoD personnel and other civilians) could continue to occur with impunity, is imperative.

Narcissistic abuse is a form of emotional and psychological abuse. It is inflicted by individuals who have narcissistic personality disorder (NPD) and others with higher degrees of narcissistic traits. Narcissistic Personality Disorder is characterized by: (1) lack of empathy, (2) a grandiose sense of self-importance, (3) the need for admiration, (4) the exploitation of others for self-gain, (5) envy, (6) a belief that others are envious, (7) arrogance, (8) pathological lying (but which is frequently not readily detectable), (9) irresponsibility and unreliability, (10) emotionally and psychologically abusive behaviors (e.g., manipulation, bullying and employment of the silent treatment), and which is associated with the absence of a

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<sup>1</sup> Both N.A.R.C. and the Narcissistic Abuse Institute are based out of St. Louis, Missouri and both help individuals understand and overcome narcissistic abuse through support groups, coaching, non-therapeutic spiritual counseling, and education, as well as facilitate personal and professional development. (See Appendix 1).

conscience.<sup>2</sup> Narcissistic abuse occurs in the United States military and research suggests the traits causing it are becoming more prevalent among military leaders.<sup>3</sup> This is consistent with the more general understanding that everyone will come into contact with at least one of four dangerous personality types, a narcissistic personality being one of them.<sup>4,5</sup> It is also consistent with the current estimate that between 1% and 6% percent of the U.S. population meet the criteria for Narcissistic Personality Disorder (NPD).<sup>6,7</sup>

Even the more conservative estimate of 1% of the U.S. population means that 330,000 people in the country qualify for an NPD diagnosis. Ultimately, anyone in a relationship with a narcissistic person (be it as an employee in the workplace, as a well-intended friend, or as an intimate partner) may be at risk for this kind of abuse, especially if the narcissistic person views the relationship as strictly beneficial to them.

Perhaps even more understood than its prevalence is the harm narcissistic abuse and related behaviors cause to individuals, and the havoc they cause to units, organizations, and to the military.<sup>8-11</sup> According to Joe Navarro, in his book *Dangerous Personalities: An FBI Profiler*

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<sup>2</sup> Cole, Chelsey Brooke. 2023. *If I'd Only Known: How to Outsmart Narcissists, Set Guilt-Free Boundaries, and Create Unshakeable Self-Worth*. pp. 10-11. Abbreviated to *If I'd Only Known* through the remainder of this paper.

<sup>3</sup> Doty, PhD, USA (ret.), J. & Fenlason, J., MSgt. Jan-Feb 2013. *Narcissism and Toxic Leaders*. *Military Review*.

<sup>4</sup> Navarro, Joe. 2017. *Dangerous Personalities: An FBI Profiler Shows You How to Identify and Protect Yourself From Harmful People*. Rodale. p. xii. (referencing "the destructive nature of these individuals, so severely flawed of character, that there is little likelihood they will ever change and stop hurting others"). Abbreviated to *Dangerous Personalities* through the remainder of this paper.

<sup>5</sup> The three other dangerous personalities identified in Joe Navarro's *Dangerous Personalities* are: (1) "The Emotionally Unstable Personality," (2) "The Paranoid Personality"; and (3) "The Predator." Combination personalities from among the four personalities have also been identified. *Id.* Of note, these personalities as explained by Agent Navarro are not coded in the DSM-V; They are personalities identified by Agent Navarro based on his experience as an FBI agent over a twenty-five-year career, involving investigating and arresting many individuals with these personalities.

<sup>6</sup> Cole, Chelsey Brooke. 2023. *If I'd Only Known*. p. III (the author references being part of a community of over 30,000 narcissistic abuse survivors).

<sup>7</sup> Cole, Chelsey Brooke. 2023. *If I'd Only Known*. p. 10 ("Lifetime prevalence rates of narcissistic personality disorder (NPD) are roughly six percent. That means in the United States, almost 20 million people meet the criteria for NPD. If those 20 million narcissists negatively impact five other people (a conservative estimate), that means 99 million people will experience some form of narcissistic abuse in the United States alone.")

<sup>8</sup> Matthews, Jeffrey J. 2023. *Generals and Admirals, Criminals and Crooks: Dishonorable Leadership in the U.S. Military*. University of Notre Dame Press. p. 137 ("An expert on the subject, Colonel George E. Reed, U.S. Army retired, characterizes toxic leaders as those who willfully abuse and bully their subordinates as a means to self-interested ends and who, as a result, create unhealthy work climates")

<sup>9</sup> Navarro, Joe. 2017. *Dangerous Personalities*. ("These personalities can be found in every level of our society, right up to the top, where history's grim record show that they've started wars and exterminated populations."); Haycock, Dean A. 2019.

<sup>10</sup> Haycock, D. 2019. *Tyrannical Minds: Psychological Profiling, Narcissism and Dictatorship*. New York. Pegasus Books.

<sup>11</sup> Navarro, Joe. 2017. *Dangerous Personalities*. p. 38 ("It may be your company, your assets or your job on the line, but they don't see it that way. They think it belongs to them and take risks at your expense. In the end, we pay the price for the narcissistic personality's excesses-often at great physical, psychological, or financial cost.")



*Shows You How to Identify and Protect Yourself From Harmful People*, “Many clinicians are of the opinion that as narcissism has increased in the general population, so has bullying, which is a common characteristic of the narcissistic personality;” and, with bullying comes “absenteeism, depression, anxiety and suicide.”<sup>12</sup> Of relevance to the first-named author’s experience with emotional and psychological abuse at the hands of a military leader, “the [abuser] doesn’t even have to be with you to bring you down.”<sup>13</sup>

Psychological abuse increases the trauma of physical and sexual abuse. Studies show psychological abuse independently causes long-term damage to a victim’s mental health. Victims of psychological abuse often experience depression, post-traumatic stress disorder (PTSD), suicidal ideation, low self-esteem, and difficulty trusting others.<sup>14</sup>

Despite both the severity of harm it causes and its frequency, narcissistic abuse is not readily understood, even by criminal justice practitioners – even though “narcissism is a personality trait that exhibits relatively predictable patterns of behavior over time.”<sup>15</sup> Indeed, even mental health practitioners not sufficiently versed in the intricacies of the power and control dynamics underlying narcissistic abuse are not able to accurately detect, to then name it. The charisma and reputation management narcissistic abusers employ when with those they do not abuse and the duplicitous way they engage their victims makes them and their mode of operating in the world especially difficult to detect.<sup>16</sup> Particularly because it is an insidious form of abuse, and one that is not yet itself a recognized, separate criminal offense in the United States *but factors and often morphs into existing legally recognized criminal offenses*<sup>17,18</sup> under the Uniform Code of Military Justice, it is imperative military justice practitioners – prosecutors, victim advocates, and law enforcement, as well as medical providers, victims and their family members understand how, where and when narcissistic abuse manifests and the impact it can

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<sup>12</sup> Navarro, Joe. 2017. *Dangerous Personalities*. p. 20

<sup>13</sup> Navarro, Joe. 2017. *Dangerous Personalities*. p. 21 (Referencing this tragic example: “On September 9, 2013, 12-year-old Rebecca Sedwick jumped to her death from an abandoned cement plant in Polk County, Florida, allegedly as a result of being tormented online (cyberbullied). This is what can happen when people consistently overvalue themselves and devalue others - a common narcissistic trait.”)

<sup>14</sup> **National Coalition Against Domestic Violence (NCADV) fact sheet about Emotional or Psychological Abuse.** Last visited on November 27, 2023,

[https://assets.speakcdn.com/assets/2497/emotional\\_or\\_psychological\\_abuse.pdf](https://assets.speakcdn.com/assets/2497/emotional_or_psychological_abuse.pdf) ; (Copy at **Appendix 2**).

<sup>15</sup> Cole, Chelsey Brooke, LPC-MHSP, CPTT, RPT. 2023. *If I’d Only Known*. p. 11.

<sup>16</sup> Navarro, Joe. 2017. *Dangerous Personalities*. pp. 25, 29 (“The narcissistic personality is quite gifted at bamboozling and conning others;” “Narcissists can be hard to spot at first because they may be intelligent, engaging, and interesting, even exuding an aura of omnipotence. They can be charming to those who can help them, but eventually they will show their true colors.”); *If Only I’d Known*, p. 35 (“However, over time, all narcissists lose their charming or humanitarian façade and become antagonistic, belittling, and critical.”)

<sup>17</sup> Navarro, Joe. 2017. *Dangerous Personalities*. p. 38 (“Narcissism isn’t just about possessiveness; it can also escalate to violence that all too often goes unreported”; “Unfortunately, people often dismiss or ignore these and other outrageous behaviors, saying they ‘aren’t so bad,’ or [it] ‘won’t happen again,’ or that’s it’s easier to just tolerate the errant bully, especially if he’s the boss.”).

<sup>18</sup> **Power and Control Wheel.** Domestic Abuse Intervention Project. Duluth, Minnesota. (**Appendix 3**).

have on individuals in narcissistic relationships.<sup>19</sup> It is equally imperative criminal defense attorneys are educated on these topics, as they too can ultimately influence the deterrence of violence in the process of working with and advocating for their clients. The importance of investigators, prosecutors, victim advocates and victims understanding narcissistic abuse is particularly critical if the military justice system and the larger military is going to do a better job of identifying, investigating and prosecuting crime involving exploitation of Service Members and civilians – sexual and physical abuse and assaults having as a predictable genesis and mechanism interpersonal exploitation, many times in the form of emotional and psychological abuse.<sup>20</sup> An operating understanding of narcissistic abuse among practitioners will also afford victims meaningful, trauma-informed support that does not retraumatize them.<sup>21</sup> Any given victim in the military justice system could have experienced *prior* trauma, as well. This necessitates military justice practitioners also understanding complex trauma, to include complex Post Traumatic Stress Disorder.<sup>22</sup>

Narcissistic abuse is covert, and it is often disguised as love and care. However, it is anything but that. Narcissistic abuse is not a single act of cruelty, like an insulting comment, or verbal abuse laced with a string of profanities. It is the insidious, gradual, and intentional erosion of a person's sense of self-worth. It is a combination of emotional and psychological abuse aimed at undermining a person's identity for the purpose of obtaining control for personal gain. It can involve patterns of dominance, manipulation, intimidation, emotional coercion, withholding, dishonesty, extreme selfishness, guilt mongering, rejection, stonewalling, gaslighting, financial abuse, extreme jealousy, and possessiveness.<sup>23</sup>

Military justice practitioners who ignorantly reduce emotional and psychological abuse to “Well, I don’t think anyone *intentionally* hurts anyone,” and “I think most relationship issues are due to miscommunication”<sup>24</sup> will inevitably fail to appreciate the relevance that type of abuse has in facilitating serious, violent offenses that are legally recognized. This ignorance feeds into the notion that abused victims are simply not credible – a notion that is not inconsistent with the grossly erroneous, generalized belief that, essentially, all sexual assaults

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<sup>19</sup> Navarro, Joe. 2017. *Dangerous Personalities*. p. 31 (“Every time I hear of a woman or child who is repeatedly berated in public, beaten, or subjected to some form of domestic abuse, the first thought that comes to my mind is there’s a narcissist in that house who devalues his partner or children and overvalues himself so much that he can slap, strike, or beat a family member;” “. . . people involved with these narcissistic personalities over time are rendered pliant or inert.”).

<sup>20</sup> See, e.g., **Appendices 2 & 3**.

<sup>21</sup> Oran, S. Dec. 2019. Sexual Violence and Mental Health. *Epidemiology and Psychiatric Sciences*, 28(6), 592-593. (Discussing the adverse impact of mental health care providers failing to inquire and believe clients about experiences of sexual violence: (1) allows continued exposure to violence and abuse, (2) risks psychological harm, and (3) jeopardizes criminal proceedings).

<sup>22</sup> McDonald, MaryCatherine. 2023. *Unbroken: The Trauma Response is Never Wrong: And Other Things You Need to Know to Take Back Your Life*. Boulder, CO. Sounds True. p. 41 (“Triggers are portals to the past. When the portals are open, the past comes flooding forward, unbidden”).

<sup>23</sup> Cole, Chelsey Brooke. 2023. *If I’d Only Known*.

<sup>24</sup> Id.

are falsely alleged and that victims of sexual assault have “sobriety regret.”<sup>25, 26</sup> Importantly, even victims may need to be educated about not projecting their own positive traits onto their abusers: “It’s also possible [for a victim] to project [their] positive traits, like empathy, kindness, and good intentions onto someone else. Survivors often do this, believing that the narcissist ‘didn’t real[ly] mean it,’ or ‘doesn’t understand’ how hurtful something is because they can’t believe someone would be so knowingly cruel.”<sup>27</sup>

Narcissistic abuse is invisible to the naked eye. Unlike physical abuse, narcissistic abuse does not leave visible marks, such as bruises or broken bones. This is one of the reasons why so many people do not even realize that what they are experiencing is a form of abuse, and that it has a name — narcissistic abuse — until the damage has been done.<sup>28</sup>

Narcissistic abuse, and its constellation of emotional, psychological, spiritual and/or financial components and harm, should fall within the military’s domestic violence statute.<sup>29</sup> Prosecutions for such conduct in other jurisdictions and countries occur, to include in Colorado, the United Kingdom, Ireland and France occur out of a recognition of the fact that this kind of abuse can be as harmful as physical and sexual abuse.<sup>30</sup> Research indicates the hallmarks of narcissistic abuse can actually be *more* harmful than physical or sexual abuse in certain circumstances,<sup>31</sup> a fact only exacerbated in instances when a victim is unable to seek meaningful redress because their emotional scars are neither visible nor understood by those

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<sup>25</sup> **Opinion and comments made by the Army’s inaugural Lead Special Trial Counsel when he was a Regional Defense Counsel in an email** to the five men assigned to be his Senior Defense Counsel, which was then disseminated to the rest of his trial defense counsel subordinates. The Army’s Lead Special Trial Counsel, in charge of the Army’s Office of Special Trial Counsel, is charged with running the Army’s efforts at prosecuting serious criminal offenses, to include those involving special victims in sexual assault cases. **(Copy at Appendix 4).**

<sup>26</sup> “Sobriety regret” is neither a legally cognizable defense to sexual assault in the military nor, as far as the first-named author is aware, in any other jurisdiction in the United States or any other democracy. Rather, the lack of consent - as a result of the victim being incapable of consenting when they cannot appraise the nature of the conduct at issue, is physically incapable of declining participation, or is physically incapable of communicating unwillingness to engage in the sexual act in question – must be proven *by the prosecution* beyond a reasonable doubt in sexual assault and other related offenses under the Uniform Code of Military Justice.

<sup>27</sup> Cole, Chelsey Brooke. 2023. *If I’d Only Known*. p. 20.

<sup>28</sup> Another possible explanation why narcissistic abuse is such an under-recognized public health issue is because describing what you cannot see or prove presents a significant challenge.

<sup>29</sup> Article 128(b), Uniform Code of Military Justice (UCMJ). Article 134, as a catch-all provision, is another provision of the UCMJ available for prosecuting narcissistic abuse, outside of the “spouse, intimate partner or family member” required for Article 128(b); Navarro, Joe. 2017. ***Dangerous Personalities, p. 31*** (“Pathological narcissism can go to extremes where laws often fail us. . . Police Departments around the country and around the world see this every day – the details are different, but the intent is the same: the glorification of one at the expense of others”)

<sup>30</sup> Fox, K. Jan. 2, 2019. ***Ireland criminalizes emotional abuse with new domestic violence law.*** CNN.

<https://www.cps.gov.uk> (domestic abuse); <https://www.bbc.com/news/10459906> (France, psychological violence)

<sup>31</sup> Dye, Heather L. Dec. 2020. ***Is Emotional Abuse as Harmful as Physical and/or Sexual Abuse?*** *Journal of Child & Adolescent Trauma*, Vol. 13, pp. 399-407 (Finding that, at least for children, “Emotional abuse is just as damaging as physical and/or sexual abuse”; “Psychological maltreatment, or emotional abuse and neglect, has been theorized to cause adverse development consequences equivalent to, or more severe than, those of other forms of abuse” )(citing Hart et al, 1996).



who could facilitate meaningful redress. Emotional and psychological interpersonal violence is recognized internationally among the forms of violence perpetrated against women on account of their gender: “VAWG [Violence against women and girls] includes any act of gender-based violence that results in, or is likely to result in, physical, sexual or psychological harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty whether occurring in public or private life.”<sup>32</sup> Not to be misunderstood, men and those identifying as binary or other are also victims of narcissistic abuse.

Violence against women is not mutually exclusive from gender discrimination. The United Nations Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), in prohibiting discrimination on the basis of sex, defines discrimination as “Any distinction, exclusion or restriction made on the basis of sex which has the effect or purpose of nullifying the recognition, enjoyment or exercise by women, irrespective of their marital status, on a basis of equality of men and women, of human rights and fundamental freedoms in the political, social, cultural, civil or any other field.”<sup>33</sup> Both violence against women and gender discrimination are social, systemic issues, not just individual problems. “Gender is understood as a structure or set of power relations that enable violence rather than as a particular individual attribute or role.”<sup>34</sup> Valerie Hudson, et al.’s painstaking evidence-based work in their *The First Political Order: How Sex Shapes Governance and National Security Worldwide* establishes that the patrilineal (patriarchal) male kinship security mechanism underlies violence against women.<sup>35</sup> The Women, Peace and Security framework, recognizing the integral role women play in establishing and maintaining nation-states’ and international peace and security, is *a*, if not *the* solution to patriarchal security mechanisms wreaking havoc on the world stage, to include right now.<sup>36</sup> Relevant to the United States military, the misogynistic attitudes bred in its male-driven security system are consistent with the misogynistic attitudes identified with male (and some female) narcissistic personalities.<sup>37</sup> This combination of systemic and individual

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<sup>32</sup> United Nations 1993 General Assembly’s Elimination of Violence Against Women (DEVAV). While the United States has still failed to ratify the United Nations’ Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), which specifically references the DEVAV, the different forms of violence against women - psychological violence included – are recognized as international human rights violations. It is understood that violence against women and girls is “one of the fundamental social, political and economic means by which the subordinate position of women with respect to men and their stereotyped roles are perpetuated.” True, Jacqui. 2021. ***Violence Against Women: What Everyone Needs to Know***. New York. Oxford University Press. p. 6.

<sup>33</sup> CEDAW, Article 1.

<sup>34</sup> True, Jacqui. 2021. ***Violence Against Women: What Everyone Needs to Know***. New York. Oxford University Press.

<sup>35</sup> Hudson, Valerie M., Donna Lee Bowen, and Perpetua Lynne Nielsen. ***The First Political Order: How Sex Shapes Governance and National Security Worldwide***. New York. 2020.

<sup>36</sup> Johnson-Freese, Joan. 2019. ***Women, Peace and Security: An Introduction***. New York. Routledge. First Edition. pp. 54, 179.

<sup>37</sup> Arabi, Shahida. Sept. 25. 2017. Are Male Narcissists Also Misogynists?

<https://psychcentral.com/blog/recovering-narcissist/2017/09/are-male-narcissists-also-misogynists>

leaders' misogyny makes for a particularly unhealthy environment for women to safely exercise their rights to serve in the United States' military.<sup>38</sup>

The hallmarks of narcissistic abuse are evinced in a pattern marked by the following four phases of abuse, which sometimes occur at the same time and/or cyclically, depending on: (1) the needs of the narcissistic abuser, (2) the victim's understanding of what is occurring; and (3) the victim's physical and psychological ability to remove themselves from the relationship:

1. Love bombing
2. Devaluing
3. Discarding
4. Hovering

To understand these phases of abuse, one needs to understand the reason behind them.<sup>39</sup> That reason rests fundamentally with a narcissist's lack of a core sense of self and a deep-seated self-hatred from shame arising from early relational trauma with one or more primary caregivers. That relational trauma can be from abuse, neglect and/or overvaluation, where the child learns to repress their own needs in exchange for being what their parent needs them to be. To protect themselves from their own self-hatred, a narcissist creates a false self, a self they wish they had and one that helps them secure the attention, admiration and love they did not get in their early, formative years.<sup>40</sup> In seeking out this attention, admiration and love, the abuser (consciously, subconsciously or unconsciously) looks for individuals who have attributes revealing weaker boundaries they can exploit and/or who have attributes the abuser themselves lacks.<sup>41</sup>

The following is a summary that encapsulates much of what multiple sources indicate about dangerous narcissism – recognizing that, “While all narcissists share similar patterns, not all narcissists have the same presentation [e.g., outward presence or demeanor], which is why understanding the different narcissistic types is essential<sup>42</sup>:

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<sup>38</sup> Multiple laws, regulations and policy statements promulgated by the United States' Congress, the United States Department of Defense and the Secretaries of the US military branches codify and acknowledge the equal rights of women to serve in the United States military.

<sup>39</sup> Miller, Alice. 1997. *The Drama of the Gifted Child: The Search for the True Self*. Basic Books.

<sup>40</sup> *Id.*

<sup>41</sup> **Diagnostic and Statistical Manual of Mental Disorders, 5<sup>th</sup> edition.**

<sup>42</sup> Cole, Chelsey Brooke. 2023. *If Only I'd Known*. p. 20-21, 24-25 (providing the example of a malignant narcissist: “Malignant narcissists represent the darkest and most sadistic type of narcissist. They’re said to be the pinnacle of the dark triad, the point at which narcissism, psychopathy (i.e., antisocial behaviors), and Machiavellianism (i.e., a singular focus on power) collide. If someone is highly narcissistic, exploitative, calculating, non-empathetic, and driven to gain power without regard to how they achieve it—they’re a malignant narcissist. Malignant narcissists look a lot like grandiose narcissists, although they have a more intense and sinister feel to them. Their main source of supply comes from feeling dominant and superior. They want to win at all costs, even if that means engaging in unethical or illegal behavior or putting others in harm’s way. They’re dishonest, callous, and calculating. They don’t just feel *entitled* to say and do what they want—they take *pleasure* in hurting you since they see *your pain as proof of their power*.” The following physical response to a malignant narcissist has been noted: “You feel scared, hypervigilant, unsettled, and threatened, not sure how far they’ll go or what they’ll do if you don’t meet their

Narcissistic personalities care only for themselves, their needs, and their priorities. While you and I appreciate attention, the narcissist craves it and manipulates people and situations to get it. While you and I work hard to be successful, the narcissistic personality connives to succeed and may cheat, lie, embellish the truth, or scheme to get ahead, uncaring of how others are affected.<sup>43</sup>

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When others don't treat narcissists as the special person they deem themselves to be, their reaction is infantile rage that ranges from sulking to whining to seething and, sometimes, to violence. They can berate and blame with impunity, hold grudges, and be vengeful – that is their nature;<sup>44</sup> “They never take

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expectations or fall out of line. Their calculating coldness and singular focus on power affect every part of your nervous system. It's as if your body senses the presence of darkness, even if your logical mind hasn't identified the source of the threat yet.”; Providing the example of the “vulnerable” or “covert” narcissist, “Vulnerable narcissists typically have one of two presentations, depending on what serves them best at the time. The first presentation is very sullen, depressed, and victimized. They come across as jaded or mistreated and talk about past situations in which they portray *themselves* as having been taken advantage of, betrayed, used, or even abused. The second presentation is one of being the *nice guy or sweet girl*. Vulnerable narcissists use these covers to create a lot of chaos, drama, or conflict behind the scenes since no one thinks that someone so *nice* would ever do something cruel. From this presentation, vulnerable narcissists appear very courteous, flattering, and considerate. They want everyone to think of them as someone who's incredibly generous, polite, or virtuous. Despite their more amenable appearance, vulnerable narcissists engage in the same antagonistic, vengeful, and superficial behaviors as any other narcissist – they simply hide it better. It's like trying to cover up a bad odor with perfume; after a while, the stench still comes through.”; “Because vulnerable narcissists have a self-effacing, victimized persona, it can take longer to identify their behaviors as narcissistic since you're more likely to assume they're just sad and dejected.” Recognizing that “it's possible for narcissists to be a mix of the [different] types [of narcissism].” A leader gender discriminating against subordinates but, when the subordinates question the discrimination, the leader focuses on how that questioning hurt *them*, the leader, could be an example of vulnerable, or covert narcissism.

<sup>43</sup> Navarro, Joe. 2017. ***Dangerous Personalities***, p. 17; Cole, Chelsey Brooke, LPC-MHSP, CPTT, RPT. 2023. ***If I'd Only Known***. pp. 11, 13 (“[F]or purposes of clarity, a “narcissist” in this book is defined as someone who displays, at minimum, a pervasive pattern of grandiosity, entitlement, exploitativeness, lack of empathy, superficial relationships, and an excessive need for admiration”; “[N]arcissists are emotionally vulnerable, meaning they're hypersensitive to criticism, emotionally reactive, and experience intense feelings of inferiority and inadequacy. They are impulsive and emotionally fragile. This fragility leads narcissists to do things like become sullen or rageful after a small criticism or constructive feedback, act sad or hurt to get people's attention or sympathy, and deny any wrongdoing to avoid feelings of shame.”

<sup>44</sup> Navarro, Joe. 2017. ***Dangerous Personalities***, p. 20; Cole, Chelsey Brooke, LPC-MHSP, CPTT, RPT. 2023. ***If I'd Only Known***. p. 15 (When things do not go a narcissist's way, “the narcissist will experience a mix of shame, injustice, and outrage. These highly unsettling and uncomfortable emotions typically show up as defenses, like denial, rage, contempt, blame-shifting, and projection.”; “To make matters worse, they will deny truths even when you have proof of evidence. They lie even when they're caught, when it doesn't make sense, and when *not* lying would be better for them.”; “If narcissists can successfully distract you from the initial issue, they don't have to be held accountable for their actions or explain themselves.”) An example of this could be a former boss telling a former employee, in tears, that he loves her in a conversation wherein the former employee is discussing her experience of gender discrimination by the same former boss.



responsibility (or, if they do, they'll say the other person's reaction was the real problem) . . ."<sup>45</sup>

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They become masters at putting others down in order to elevate themselves – they are the bullies of the world.<sup>46</sup>

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With their boundless sense of self-importance, narcissistic personalities lack clear boundaries. They push the envelope with people, laws, rules and social norms. As social puppeteers, they view others as extensions of themselves, commanding, directing, manipulating, and using people to meet their desires.<sup>47</sup>

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Sometimes, you'll see overt displays of arrogance, haughtiness, or grandiosity that give you insight and may also make you feel that something isn't right. At other times, they can be aloof, patronizing, and distant, which leaves you with an unsavory feeling. Sometimes, they withhold their affection, or they refuse to help or to honor their commitments. Whatever they do, the effect is always the same. They leave you feeling troubled, unfulfilled, or tormented.<sup>48</sup>

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Every person I have ever talked to who has associated with a narcissistic personality has said the same thing: One way or another, to one degree or another, they were forbidden to flourish.<sup>49</sup>

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Those with dangerous narcissism do not change – at least not without a lot of therapy, and even the prognosis for change is very slim.<sup>50</sup>

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<sup>45</sup> Cole, Chelsey Brooke. 2023. *If Only I'd Known*. p. 25.

<sup>46</sup> Navarro, Joe. 2017. *Dangerous Personalities*, p. 20.

<sup>47</sup> Navarro, Joe. 2017. *Dangerous Personalities*, p. 26.

<sup>48</sup> Navarro, Joe. 2017. *Dangerous Personalities*, p. 29; Cole, Chelsey Brooke, LPC-MHSP, CPTT, RPT. 2023. *If Only I'd Known*. pp. 17, 19 (“[N]arcissists don’t self-reflect; they project. So instead of identifying and addressing their self-loathing, they project their self-disdain and self-contempt onto everyone else and everything they know they should be . . . but aren’t”); (“[P]rojections are confessions, Whatever narcissists accuse *you* of feeling or doing is likely how they feel or what they are doing. However, don’t expect to share this insight with a narcissist and have them admit the truth.”; “Narcissists lack insight into why they do what they do.”)

<sup>49</sup> *Dangerous Personalities*, p. 32.

<sup>50</sup> Navarro, J. 2017. *Dangerous Personalities*. p. 39

“Looking at [their] potential instead of reality,” is futile and irresponsible.<sup>51</sup>

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It is not uncommon for an abuser to look for younger individuals as supply for their narcissistic needs. The workplace can be an optimal place for an abuser to find supply. In the context of the military, the higher a leader rises in the ranks, the more options they may have for supply in individuals subject to their orders. An abusive leader using subordinates as a proxy for him to additionally engage his victim and/or to mask his contact with the victim could be a more intricate example of this. At the heart of narcissism is manipulation and exploitation.<sup>52</sup> And, at the heart of this kind of manipulation and exploitation is the abuser’s need for power and control, and/or the abuser’s need to get what they want.

The excessive and fast-moving attention and/or affection with which a narcissist showers a target is referred to as **Love bombing**. A victim of love bombing can experience confusion, cognitive dissonance and instinctively feel that something is amiss. Although difficult for neurotypical individuals to understand, narcissistic abusers are known for love bombing victims when victims are vulnerable, to include when there is an already-existing power differential<sup>53</sup> and/or when they are grieving the loss of a loved one or other significant loss.<sup>54</sup> Love bombing is the opposite of the slow, progressive development of feelings and contact in a healthy relationship. An abuser experiencing powerful and unpredictable feelings toward a target would be consistent with the impulsiveness associated with love bombing, as would the abuser’s mirroring of the victim’s behaviors and/or interests.

This love bombing, and the subsequent intermittent reinforcement (the push and pull dynamic of the abuser’s attention, with subtle cruelty interspersed with affection) creates a **trauma bond** between the victim and their abuser.<sup>55</sup> A trauma bond can be established in a matter of days, if not hours, depending on the circumstances.<sup>56</sup> Because the victim remembers the love bombing and holds onto hope that her abuser will treat her as well as he did during the

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<sup>51</sup> Cole, Chelsey Brooke, LPC-MHSP, CPTT, RPT. 2023. *If I’d Only Known*. p. 8 (“The inconsistencies, lies, and manipulations wouldn’t stop. The promises that were made and broken wouldn’t stop. The blame-shifting, rage, and passive-aggressiveness wouldn’t stop. The criticisms, comparisons, and callousness wouldn’t stop.”)

<sup>52</sup> Navarro, Joe. 2017. *Dangerous Personalities*. p. 18 (“Cinderella,” the classic tale of the cruel stepmother and stepsisters obsessed with themselves, epitomizes the exploitative nature of narcissism;” “Like Cinderella’s stepmother and stepsisters, these personalities see few faults in themselves and view anyone who doesn’t value them as highly as they value themselves as nobodies to be denigrated or tormented.”)

<sup>53</sup> Carnes, Patrick; Bonnie Philips. 2019. *The Betrayal Bond: Breaking Free of Exploitative Relationships*. Florida. Health Communications, Inc.

<sup>54</sup> The abuser could also be particularly vulnerable when they engage in love bombing, because of circumstances outside of their control. Love bombing is one of a number of tools narcissistic abusers employ to reassert control.

<sup>55</sup> Carnes, PhD, Patrick; Phillips, PhD, Bonnie. Carnes, Patrick; Bonnie Philips. 2019. *The Betrayal Bond: Breaking Free of Exploitative Relationships*. Florida. Health Communications, Inc.; Cole, Chelsey Brooke. *If Only I’d Known*.

<sup>56</sup> Carnes, PhD, Patrick; Phillips, PhD, Bonnie. Carnes, Patrick; Bonnie Philips. 2019. *The Betrayal Bond: Breaking Free of Exploitative Relationships*. Florida. Health Communications, Inc

love bombing phase(s), she becomes stuck accepting morsels of attention in what is a powerful emotional attachment with her abuser that can be extremely difficult to break.<sup>57</sup>

**Devaluing** is when the narcissistic abuser engages in tactics resulting in the victim losing a grasp on both their identity (which includes sense of self and self-worth) and their sense of reality. Devaluing tactics include gaslighting, cheating, lying, triangulating, sabotaging, and they can also include additional predatory behavior, like stalking.<sup>58,59</sup> Gaslighting can include the abuser communicating in what is referred to as word salad, which is “a circular language tactic used by one individual to ensure that talks never end positively for the other. It is a technique for exerting influence over another person’s views or ideas, emotional response, or access to information.”<sup>60</sup> Stalking, which itself constitutes a crime, illuminates: (1) the fine line between legally proscribed conduct, and conduct flying just under the legal radar, *like narcissistic abuse*, and (2) the frequently inextricable interplay between emotional and psychological abuse (to include narcissistic abuse) and crimes of violence against persons.<sup>61</sup>

After love bombing a victim, a narcissistic abuser could triangulate, for instance, by voicing comparisons of the victim with another “love” interest.<sup>62</sup> When a narcissistic abuser with a significant fear of abandonment feels threatened by the prospect of their victim leaving them, they are known to engage in love bombing, devaluing or discard. Frequently, **discarding**, intended to convey to a victim that they are worthless and unlovable, are superficial efforts by a narcissistic abuser; The objective (again, whether conscious, subconscious or unconscious) is to destroy (what remains of) the victim’s self-worth, while creating space for the abuser to

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<sup>57</sup> Id.

<sup>58</sup> Cole, Chelsey Brooke. *If I’d Only Known*. p. 15 (“Whereas healthy people create relationships based on respect, cooperation, mutuality, and kindness, narcissists build their relationships on control, manipulation, and deceit. They present a false self to get you into the relationship, slowly devalue you to gain control of your emotions and perceptions, then discard you through lying, cheating, silent treatments, gaslighting, or leaving the relationship.”)

<sup>59</sup> It is not unusual for a narcissistic abuser to stalk a victim online, through social media, to include using accounts they create for that purpose and/or using others’ social media accounts to mask their efforts at keeping tabs on their victim(s).

<sup>60</sup> abusewarrior.com, defining “word salad”. <https://abusewarrior.com/abuse/narcissistic-word-salad/>  
Last retrieved on November 27, 2023.

<sup>61</sup> Stalking under the UCMJ does not expressly include emotional distress, but more narrowly defines the offense in terms of causing another person to have reasonable fear of bodily harm, sexual assault, or death.

<sup>62</sup> A narcissistic abuser is not likely to actually experience love; What they experience as love is, in reality, a temporary, powerful emotional feeling related to what they lack for an integrated sense of self. Cole, Chelsey Brooke. *If I’d Only Known*; Miller, Alice. 1997. *The Drama of the Gifted Child: The Search for the True Self*. Basic Books.

<sup>63</sup> Someone unequivocally telling someone else, in tears, that he loves her in one breath, eliciting an emotional, reciprocating response from the victim (e.g., an “I love you, too”), then referencing “no disrespect” to his spouse, and then suggesting that he is just a friend, is an example of word salad, and demonstrative of the confusion that can result from word salad.

<sup>64</sup> Cole, Chelsey Brooke. *If Only I’d Known*.

<sup>65</sup> A narcissistic abuser is frequently not able to modify their behaviors to such a degree between their treatment of designated or identifiable victims and others. Consequently, the abuser’s manipulation and exploitation can frequently be evinced throughout their interactions with everyone.

return when they need a narcissistic supply of attention and admiration. This return, and the related surveillance and stalking, by the narcissistic abuser is known as **hovering**.

The intent of a narcissistic abuser is to throw his victim's sense of reality off balance – a tactic an abuser can be expected to use when questioned by investigators about their behaviors.<sup>63</sup> Related to this point is the planning narcissistic abusers frequently engage in; It is not uncommon for a narcissistic abuser to plan out conversations in their heads before they occur so as to obtain and maintain an advantage in the conversation.<sup>64</sup> Conversations with narcissistic abusers can feel scripted, with marked pauses by the abuser as they rearrange their planned script and/or as they seek to maximize emotional and/or psychological pain with their backhanded insults. A narcissistic abuser can be expert at eliciting the emotional responses they want, while manipulating their victim (or audience)<sup>65</sup> to do what they want them to do. This manipulation frequently takes the form of the narcissistic abuser setting conditions so as to make the victim think it is the victim (or audience) who is making a choice, when really it is the choice the abuser wants the victim (or audience) to make.

Narcissistic abuse is particularly insidious within military ranks because it involves the gradual chipping away of the victim's self-esteem (emotional abuse) and sense of reality (psychological abuse) in environments that require keen vigilance to stay safe, if not alive. The increased risks and harm associated with narcissistic abuse extends to family members of a narcissistic abusing Service Member; Military families are required to frequently move, making it easier for a narcissistic abuser to isolate their family members whose external support systems (to include sources for financial independence) are not consistent over the long term and who may not feel safe sharing the abuse with those they do not know – assuming the family members even understand the insidious abuse to which they are subjected, to then report it.<sup>66</sup> Even in more optimal reporting circumstances, there comes a time when the victim of narcissistic abuse is so emotionally and psychologically beaten down they do not have the wherewithal to leave the abuser, or “go no contact.” It goes without saying that subordinate Service Members cannot readily up and leave their duties, even if they know they need to for their own safety.<sup>67</sup> Military protection orders can aid in efforts to keep victims safe (in those

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<sup>66</sup> Navarro, Joe. 2017. ***Dangerous Personalities***. p. 42-44 (“Under the cloak of religion, a dangerous personality can get away with a great deal for a long time with no outside scrutiny”; “Family and friends who fear for [family] members will be persistently thwarted or frustrated in their efforts to help or rescue [victims]”; “The narcissistic personality of a cult leader is palpable – as was evident in Jones’s words and writings”; and, “Only a handful of sect members may see the sect leader for what he is. Only a few saw Jim Jones as a toxic and dangerous narcissistic personality”; “Cult leaders will continue to attract people who are unwilling or unable to discern when they are being manipulated or exploited”; “The narcissistic personality thrives in a leadership position within a cult and will do almost anything to remain the leader, including marginalizing or destroying those who oppose them”; “The narcissistic personality as sect leader purports to have all the answers and secrets to a better life and makes all the decisions”; **“Those were our observations about cults, but if you think about it, many of these same characteristics [secrecy and isolation, psychological and/or physical abuse to weaken free will, absolute power concentrated in one person’s hands] can be found in toxic work environments or organizations, in homes ruled by tyrants, or even in nation-states.”**)

<sup>67</sup> The reality of a victim's inability to readily leave a supervisor (military or civilian)-subordinate, military family unit, and even cohort Service Member narcissistic abuse situations is contrary to the trauma-informed advice that:

situations the current law deems adequately sufficient to justify the issuance of protection orders); however, the indiscriminate use of protective orders without consideration of the specific circumstances can actually *increase* safety concerns for victims.<sup>68</sup>

The victim's agency to choose for themselves is at risk of being and, over time, can be replaced by the perpetrator's; The perpetrator's manipulation of the victim can result in the victim deferring to the perpetrator's narrative of reality, making the victim susceptible to giving (aspects of) their autonomy over to their perpetrator. **The power and control inherent in the military's hierarchy both offers a welcoming place for narcissistic abusers<sup>69</sup> and makes subordinate targets of that abuse more susceptible to, and less inclined to question, the abuse, and specifically because: (1) the lines between a superior officer's authority and abuse is not always easy to discern, and/or (2) victims can fear retaliation and further traumatization by subjecting themselves to the military's non-trauma-informed, dysfunctional investigatory processes.<sup>70,71</sup> Again, these same concerns exist for family members of a narcissistic abusing "head of household" Service Member.**

To be clear, any emotional, psychological, spiritual and/or financial abuse is harmful; It does not need to be done by a narcissistic abuser to severely impact a victim's emotional and psychological well-being and safety. The significance of the narcissistic aspect of this kind of abuse rests with the manipulation, exploitation, lack of empathy<sup>72</sup> and lack of remorse

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"No matter what, your first responsibility is to yourself and your loved ones. Don't let anyone ever tell you that you have to stay in a relationship or in an organization where you will be bullied, tormented, or victimized. Do what you have to do to protect yourself." Navarro, Joe. 2017. ***Dangerous Personalities***, p. 56. This is even more reason military justice practitioners need to be educated about narcissistic abuse and for victim advocates and others to competently aid in supporting the victim in rectifying their living and/or work situation, so that altogether leaving the abuser is a viable option from which the victim can choose.

<sup>68</sup> de Becker, Gavin. 1997, 2021. ***The Gift of Fear: Survival Signals That Protect Us From Violence***. New York. Little, Brown and Company. pp. 235-240 (speaking to this issue in some detail.)

<sup>69</sup> Navarro, Joe. 2017. ***Dangerous Personalities***. p. 27 ("Narcissists often seek positions where they can control others. That's why you tend to see more of them in jobs such as law, medicine, and politics or in high-level executive positions, where they can use their rank or status to take care of themselves;" "It's not unusual for narcissistic individuals to seek jobs where they can exercise power and authority to control others rather than to help others. In the end, it doesn't matter how high or low the position or the title; it will be used for the narcissistic personality's own gain.")

<sup>70</sup> Carnes, Patrick; Bonnie Philips. 2019. ***The Betrayal Bond: Breaking Free of Exploitative Relationships***. Florida. Health Communications, Inc. pp. 87-113.

<sup>71</sup> The first-named author provides a separate academic paper (co-authored with another author) on deficiencies identified in the Army/DoD Inspector General (IG) investigatory process - The DoD IG (and subordinate IGs) being one of few avenues victims of criminal offenses and leader misconduct currently have when seeking accountability and justice.

<sup>72</sup> Navarro, Joe. 2017. ***Dangerous Personalities***. p. 22-24 ("A person who feels superior to others will have limited ability to empathize. While most of us learn as children how to understand others' feelings and how our actions affect others, with these personalities, sympathy or understanding for your situation and feelings is limited or nonexistent. You could be in crisis and somehow you still won't be the center of attention, because nothing must detract from the needs, wants and desires of narcissists. You may have a sick child you need to attend to, but they still want you to take them shopping at the mall. In fact, narcissistic personalities view revelations about needs, illness, or mistakes as weaknesses in others that confirm their superiority and justify their devaluing behaviors.



(conscience) – i.e., heightened cruelty, manifesting in “torment, degradation, or even psychological damage” - surrounding the abuse.<sup>73</sup>

In his book *Dangerous Personalities: An FBI Profiler Shows You How to Identify and Protect Yourself From Harmful People*,” former FBI agent, Joe Navarro provides a 130-question checklist for identifying narcissistic attitudes and behaviors. This list includes, among others, the following behaviors:

1. Interpersonally exploitative of others and takes advantage of others for personal gain;
2. Lacks empathy and is unable to recognize the needs or suffering of others;
3. Is arrogant and haughty in behavior or attitude;
4. Has an exaggerated sense of privilege that allows him to bend rules and break laws;
5. Has devalued others as being inferior, incapable, or not worthy;
6. Has demonstrated little sympathy or empathy for others; nevertheless, [he] expects others to show [him] empathy;
7. When [he] communicates with you, it feels as if [he] is sending messages but is not receiving messages. Communication is only one-way;
8. Appears to have difficulty comprehending deep emotions. Seems emotionally detached at times when deeply felt emotions are most needed;
9. Has a need to control others and demands total loyalty at all times;
10. Behaves as though people are objects to be used, manipulated, or exploited;
11. Feels entitled to any one of these: success, fame, fortune, or sex, with no legal, moral, or ethical inhibitions;
12. Is superficially charming or interesting;

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Some narcissists telegraph their arrogance and haughtiness; it’s palpable in how they speak, react, and even carry themselves. Others recognize the need to at least appear to be empathetic. Their empathy, however, has an agenda-such as when a boss calls you at home when you’re sick to ask how you’re feeling but is only really concerned with when you’re coming back to work. It may seem as if they care, until you discover how superficial and infrequent their interest in your life and well-being actually is-except when it affects them. Still others betray their hyper valuation of themselves only when there is a crisis. Then their egocentric perspective on the world percolates to the surface.” . . . “Sometimes, it takes a crisis to reveal those narcissistic traits that say, “Nothing is more important to me than me.” . . . “The more you talk to narcissistic personalities, the more you get the sense that they don’t care about you. They’re not very inquisitive about you. What they really want is for you to pay attention to them and to their needs and desires, or to do their bidding. But because they’re *hyperaware of how they appear to others, they can, in many cases, modulate and moderate their behavior to control how they’re perceived*. They can do this for a while, but in the end, their true sentiments will come out. Narcissists act nice to get their way, not to express true caring.” . . . “The most dangerous narcissists are those whose utter lack of empathy and high levels of grandiosity verge on psychopathy: the ability to do harm without remorse. They have no conscience and will exploit others emotionally, financially, and sometimes physically. If you please them, you are convenient; if you displease them, you’re more than an inconvenience-you’re something they must debase or perhaps destroy;” “. . . narcissists don’t see that they’re doing anything wrong; they feel entitled. They just get angry that someone’s pointing out their inappropriate behavior”)(emphasis added).

<sup>73</sup> Navarro, Joe. 2017. *Dangerous Personalities*. p. 25, 55; Cole, Chelsey Brooke. 2023. *If I’d Only Known*. p. 2 (describing the emotional toll as “feeling as if your identity, your very core, has been slowly and silently smashed into a thousand pieces is heartbreaking, gut-wrenching, and devastating. You wonder, ‘How did I get here?’”).

13. Enjoys putting others down so that [he] feels better about [himself];
14. The word “I” dominates conversations. He is oblivious to how often [he] references [himself];
15. Believes he has the answer and solution to most problems, no matter how complex;
16. Offers short-term, superficial, or self-serving demonstrations of empathy<sup>74</sup>;
17. Often reacts to criticism with retaliation, vilification, counterattack, rage, or callousness;
18. Sees personal problems in others as signs of inferiority, weakness, or poor impulse control;
19. Very easily sees weaknesses in others and is quick to exploit those weaknesses;
20. Is cunning and manipulative, seeking always to have the greatest advantage;
21. Uses insults to establish superiority, dominance, or control;
22. Has lied about the past, about accomplishments, or [ ] conceal[s] legal or ethical transgressions, including failure to act or notify;
23. Doesn’t hesitate to burden others with the trivial, even when others are occupied or attending to more important things; and,
24. Is unwilling to acknowledge mistakes, wrongdoings, bad ideas, or perilous actions.<sup>75</sup>

### Importance of Experts in Investigating Narcissistic Abuse

An expert in narcissistic abuse would be invaluable to the prosecution of a Service Member whose conduct and words are consistent with a number of the above-referenced enumerated checklist questions. As Chelsey Brooke Cole, LPC-MHSP, CPTT, RPT, notes in her book *“If I’d Only Known,”* many people “don’t get it. They don’t know what a narcissist is like. They have no idea how much danger [they pose].”<sup>76</sup> Just like it cannot be assumed that investigators, attorneys and victim advocates understand narcissistic abuse, it cannot be assumed that the average juror will have a sufficient understanding of it either.

Military Rule of Evidence 404(b) makes relevant evidence of any other crimes, wrong, or act to prove “motive, opportunity, intent, preparation, plan, knowledge, identity, absence of mistake, or lack of accident” admissible. Consequently, evidence of narcissistic abuse toward other targets could be the subject of successful motions to the trial court in sexual assault, domestic violence and other cases involving violence. This means educated interviews of others who can speak to a narcissistic abuser’s behavior, where possible, are necessary. The fruits of this kind of investigation and successful litigation would be in addition to the *res gestae* evidence associated with a narcissistic abuser’s behavior toward a named victim.

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<sup>74</sup>Cole, Chelsey Brooke. 2023. *If Only I’d Known*. p. 35 (“Cognitive empathy” is “i.e., intellectually understanding and caring about *concepts* like world hunger or those impacted by war zones),” it is “not *affective* empathy (i.e., having compassion for how their behaviors impact others.”)

<sup>75</sup> Navarro, Joe. 2017. *Dangerous Personalities*. pp. 46-54. (Copy at Appendix 5.)

<sup>76</sup> Id., at p. 232.

## Consequences of Narcissistic Abuse

Suicidal ideation is not uncommon for victims of narcissistic abuse. For those who do not succumb to suicide, the road to recovery from narcissistic abuse is arduous and frequently long. The following is a list of some of the emotional, psychological, spiritual, and financial consequences of narcissistic abuse, in addition to the cognitive dissonance, absenteeism, depression, anxiety and suicide previously noted: dissociation<sup>77</sup>, dissociative trances<sup>78</sup>, low self-esteem, isolation, loss of faith, recurrent nightmares, interrupting thoughts, difficulty concentrating and inability to work or to do anything beyond minimal required daily tasks. These same consequences, these trauma responses are evidence of narcissistic abuse,<sup>79</sup> and they may well reflect complex trauma stemming from narcissistic abuse from more than one person in the victim's life – both from the past (e.g., stemming all the way back to childhood) and/or currently. Importantly, experts in the field of Psychology recommend victims engage in trauma therapy, that incorporates psychoeducation, to ensure the victim understands what happened to them to then be able to process and heal from it.<sup>80</sup>

Because victims' behaviors (words and actions) are evidence used to determine their bias, motive to fabricate and mental stability (e.g., ability to accurately perceive), it is critical for military justice practitioners to be well versed in the seemingly counter-intuitive behaviors associated with a victim of narcissistic abuse, throughout the narcissistic relationship and when they are trying to break the trauma bond they have with their abuser. For instance, victims of narcissistic abuse frequently blame themselves, to the benefit of their abuser, if the self-blame is not understood.<sup>82</sup> Very frequently, victims of narcissistic abuse "walk on eggshells" when engaging their narcissistic abuser, trying to prevent the abuser from retaliating against them for expressing their (the victim's) needs. It is also not uncommon for victims of narcissistic abuse to engage in some form of reactive abuse of their perpetrator. Not unlike what has been evinced

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<sup>77</sup> Dissociation occurs when there is a disruption, interruption, and/or discontinuity of the normal, subjective integration of behavior, memory, identity, consciousness, emotion, perception, body representation, and motor control. **Diagnostic and Statistical Manual of Mental Disorders, 5<sup>th</sup> edition**. Said in lay person's terms, dissociation involves someone disconnecting from their thoughts, feelings, memories, and/or sense of identity.

<sup>78</sup> If an individual's psychic pain is too intense, they can become unaware of their surroundings as they focus intently inward, trying to protect themselves from their external experience or from memories of a traumatizing experience. This state is referred to as a dissociative trance.

<sup>79</sup> Cole, Chelsey Brooke. *If Only I'd Known*; McDonald, MaryCatherine. 2023. *Unbroken: The Trauma Response is Never Wrong: And Other Things You Need to Know to Take Back Your Life*. Boulder, CO. Sounds True.

<sup>80</sup> Cole, Chelsey Brooke. 2023. *If I'd Only Known*. p. 9 ("[U]nderstanding narcissism and narcissistic abuse is the best place to start your healing because you can't heal from what you don't understand.")

<sup>81</sup> The trauma bond can be incredibly difficult to break and, when it is broken, a great deal of psychic pain can result.

<sup>82</sup> Cole, Chelsey Brooke. 2023. *If Only I'd Known*. Preface, p. I ("... because the person I was with at the time was more than willing to let me take the blame for everything. Which meant anytime I took personal responsibility, they used it as "proof" that I was the one causing the problems all along"; "I made a lot of excuses for people back then. I mean a lot. ... I confused tolerating abuse with being loyal. I mistook people-pleasing for being empathetic. I allowed all of my genuinely good qualities to be twisted and used against me.")

in criminal cases involving Battered Spouse Syndrome,<sup>83</sup> long-term narcissistic abuse at the hands of one or more people *can* culminate with the victim fighting back. This fighting back can appear to take the form of verbal abuse not unlike the abuse the narcissistic abuser has doled out. However, reactive abuse is the victim finally standing their ground. Because narcissistic abusers are not inclined to provide closure to their victim, it is natural for a victim to seek that closure to be able to move on – whether they are the one to terminate the relationship or their abuser is. Victims’ natural desire for closure can result in them reaching out to their abuser for that closure, even after they have, or “should” have, realized the need to terminate contact with the abuser. In fact, because the abuser is the only one who can (in theory) provide their victim certain answers about their (the abuser’s) actions and words, it is natural for narcissistic abuse victims to seek those answers from the very person who has traumatized them. Indeed, this pattern of a victim seeking answers from the very person who is abusing them is part of the narcissistic abuse pattern. Until the victim realizes who their abuser is, the victim will not realize that their abuser either does not have the ability to introspect to provide answers about their behavior and/or refuses to provide answers as a continuation of the narcissistic abuse. In truth, the narcissistic abuser will likely seek to continue the damaging relationship for as long as the victim lets them.

### **CONCLUSION**

Narcissistic abuse is a complicated phenomenon that, because (1) it occurs, (2) occurs in insidious ways, and (3) causes significant harm, must be studied and understood by military justice practitioners, DoD policy makers and other stakeholders with genuine interest in effectuating meaningful, positive change toward personal safety among Service Members and civilians in the U.S. Armed Forces. This is particularly the case if certain (to include serial) perpetrators of sexual assault, domestic violence, and other serious, codified crimes are to be successfully identified and successfully prosecuted. Moreover, national security is implicated by narcissistically abusive military leaders, Service Members (who do not have to be in higher leadership positions to abuse) and others subject to the UCMJ, both because of their impact on individual Service Members’ and DoD personnel’s ability to function for mission readiness and because the underlying psychopathology of a narcissistic abuser, and their resulting interpersonal boundary crossing, is a liability for stability in the larger unit and military.<sup>84</sup> When a military leader emotionally and psychologically abuses a civilian, that military leader’s adverse

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<sup>83</sup> Navarro, Joe. 2017. ***Dangerous Personalities***. p. 32 (Referencing the case of a child who was killed by a man with narcissistic personality when in a fit of rage. Of the wife who did not protect the child, this was said: “It was evident to prosecutors that Hedda had herself been so brutalized by Steinberg that she could not rise to defend an innocent child nor seek medical aid for [the child]. She personified what came to be called battered wife syndrome.”)

<sup>84</sup> The authors emphasize the need for psychological testing of, and data collection about, military leaders as they progress through the ranks and take on more leadership responsibilities. The data collection should include regular 10-year background checks and confidential, non-retaliatory surveys of subordinate Service Members and DoD personnel. MG Gregg Martin, USA (ret.) in his autobiographical account of serving in the Armed Forces with undiagnosed Bipolar Disorder, speaks specifically to the need for 360-degree surveys (including from subordinates). Martin, Gregg F., Maj. Gen., USA (ret.). 2023. ***Bipolar General: My Forever War with Mental Illness***. Naval Institute Press. pp. 218-220.

impact bleeds out from within the military community into the larger society, thereby implicating larger societal concerns as well.

# Monica L. Peterson, MDiv, MBA

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## Founder and President

Creative visionary leader and industry trailblazer in the field of domestic violence and narcissistic abuse. A positive highly organized person of integrity who has a passion for helping people. As a founder experienced in planning, implementation, evaluation and oversight of all business operations, presentations, programs, outreach, and marketing. As a primary fundraiser, developed collaborations and partnerships with small businesses, companies, faith-based organizations, churches, schools, etc. Proven track record of providing confidential and supportive services. Passionate, driven leader with strong written and public speaking skills.

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## Career Skills/Knowledge

- Relationship Management
- Business Development
- Systems Advocacy
- Client Relations
- Project Management Skills
- Cross Functional Teams
- Exceptional Research/Writing skills
- Strategic Communications and Planning
- Development/Production Publications
- Collaborations/Partnerships
- Leadership Development
- Public Relations

## Experience

### President - Narcissistic Abuse Institute, LLC - St. Louis, MO

2021-2023

In this leadership role as the founding president of a research institute involved in the procurement of government contracting, personal and professional development, and community education on issues plaguing our communities.

- **Strategic Communications and Planning:** Created the mission of the Narcissistic Abuse Institute LLC which is to bring awareness, education, and prevention of narcissistic abuse through study and research by providing educational materials and training.
- **Collaborations and Partnership:** The goal of the Narcissistic Abuse Institute LLC is to provide products and services that assist in the study and research of narcissistic abuse; as well as provide holistic ways of healing from this form of domestic violence. Created collaborative partnership through procurement of government contracting.

### Founder and CEO - Narcissistic Abuse Recovery Center, St. Louis, MO

2017-2023

As the founder and CEO created a non-profit organization to help women overcome domestic violence specifically emotional and psychological abuse. Provided one-on-one coaching, non-therapeutic spiritual counseling.

- **Relationship Management:** Cultivated board development and promoted events through streaming resources.
- **Business Development:** Secured cash donations, grants and in-kind service donations.
- **Created Collaborations and Training** with BJC Behavioral Health, Fathers and Families Support Center, Family and Workforce Centers of America, Regions Bank, Legal Services of Eastern Missouri.



**Administrative Assistant - Eden Theological Seminary, St. Louis, MO****2016-2019**

- **Project Management** Provided administrative and clerical support to dean, faculty, staff, students and administration. Collaborated with faculty to create agendas, plan international travel, scheduled meetings, managed calendars, prepared meeting materials, record meeting minutes. Served as liaison to students. Supervised work study students and project management of monthly events.
- **Systems Advocacy:** Developed database to track donors. Disseminated evaluation questionnaires to students and calculated results. Maintained faculty records and program records, calendars, travel arrangements, scheduled meetings, prepared packets, created bulletins, and submitted invoices for payment.

**Home Healthcare Provider – Agape Community Healthcare, St. Louis, MO****2014-2016**

- **Client Relations:** Providing home health to seniors such as: general household duties, light housekeeping, prepared nutritious meals, assisted with daily care and performed essential shopping/errands.

**Public Relations Consultant – eLittle Communications Group, St. Louis, MO****2013-2015**

- **Public Relations:** Providing public relations to local PR firms on a consultant basis. Covered press event for Myrtle Hilliard Davis Comprehensive Health Center. Wrote press releases and provided photography for special events.
- Attended events, interviewed students, teachers and principal in Normandy School District, elementary and high school. Provided photography, edited articles and wrote articles for Normandy School District Newsletter.

**Media Relations/Print Assistant - Interdenominational Theological Center, Atlanta, GA****2008-2012**

- **Public Relations:** Brought attention to seminary locally and nationally by interviewing and writing articles and press releases on prominent figures such as former Mayor of Atlanta Ambassador Andrew Young, Laura Turner Seydel, Donnie McClurkin, and Judge Glenda Hatchet.
- **Client Relations:** Coordinated day-to-day operations of print center, acted as customer service contact person, explained policies/procedures, maintained inventories, records and spreadsheets.

**Administrative Support – Abencs, St. Louis, MO****2007-2008**

- **Systems Advocacy:** Maintained schedules, calendars and travel arrangements for several construction project managers.
- Utilized project management software such as: InfoRouter 7.0, Lotus Notes 6.5, Zeus, Adobe 7.0 and TEX. Generated letters assembled and distributed manuals for multiple projects.

**Care Coordinator - My Redeemer Lives Ministries, St. Louis, MO****2006-2007**

- **Leadership Development:** Educated clients of non-profit drug and alcohol recovery agency about their role in society through facilitation of classes on spiritual life skills, managing anger and job readiness skills to groups and individually.
- Provided case management through written recommendations and tracked database management through the CIMOR system.

**Administrative Assistant/Business Development Coordinator - RCGA, St. Louis, MO****1999-2005**

- **Research:** Received three promotions while working with the Chamber by reducing budgeting cost, demonstrating dependability and integrity. Conducted research and development for a new branding campaign and created PowerPoint marketing presentation for company Senior Vice President to present to the Board of Directors.
- Coordinated travel arrangements, maintained schedules and calendars via Outlook. Developed client itineraries, collaborated booth selection logistics for out-of-town trade show EXPOS with an average of 500 contacts per trade show; created and maintained a database. Conducted clients, Managed, updated and tracked Excel spreadsheet of over 2,000 contacts.

**Public Relations Professional - Freelance, St. Louis, MO****1995-Present**

- **Public Relations:** Creating notoriety for small businesses and local newspapers interviewing prominent figures such as former U.S. Secretary of Labor - Alexis Herman, former St. Louis Mayor -

Freeman Bosley, Jr., Retired Missouri Supreme Court Judge - the Honorable Ronnie White, Najee, and Lou Rawls.

- Public relations consultant, print journalist, freelance writer, developed press kits, drafted press releases, brochures, biographies, edited articles, created newsletters and designed postcards. As a social media influencer created opportunities and spaces for appearances on television, Instagram Live, Facebook Live, Clubhouse Interviews, Podcasts Interviews, and Twitter.

### **Educational Training**

<b>M.Div.</b>	Pastoral Care / Honors	Interdenominational Theological Center	2012
<b>M.B.A.</b>	Marketing / Finance	Fontbonne University	2001
<b>B.A.</b>	Mass Communication / Journalism	Rust College	1995

### **Volunteer Employment**

YWCA (Events Volunteer)	2019
Better Family Life (Office Volunteer)	2013- 2014
St. Paul A.M.E. Church (Preaching/Teaching)	2013- 2014
Atlanta Preparatory Academy (APA) (Elementary School Volunteer)	2010- 2012
Salvation Army Boys and Girls Club Atlanta (Volunteer Bible Study Teacher)	2008- 2012
St. Paul Church (Crown Ministries Instructor)	2006- 2007
Mentor St. Louis (School Literacy Program Volunteer)	2005- 2007
Women's Connection (Girl's Mentoring Program Volunteer)	1995- 2000

### **Professional Memberships**

St. Louis Family Violence Council  
 Congregations Allied for Community Improvement (CACI)  
 Women's Connection (mentoring program)

### **Domestic Violence Training**

ALIVE Strength in Unity: Community Innovations in Domestic Violence – Certificate	2019
Eden Theological Seminary – Boundary Training Workshop – Certificate	2018
SLEVAWN Joint Orientation – Violence Against Women – Certificate	2017



## Monica L. Peterson

Trainer Educator Speaker

Monica Peterson is an inspirational speaker with an incredible message of transformation. She is also a published author of numerous articles in magazines and newspapers. She is a former freelance journalist and P.R. consultant. As the #NarcCoach, Monica helps women overcome abuse and transform their own lives. As the founder and chief executive officer of the Narcissistic Abuse Recovery Center, a 501c3 nonprofit and social enterprise that started in 2017, Ms. Peterson provides personal and professional development, one-on-one coaching, non-therapeutic spiritual counseling, and support groups.

Additionally, in January 2021, Monica Peterson became the founder and president of the Narcissistic Abuse Institute L.L.C., a for-profit research organization registered with S.A.M. to conduct government contracting.

Monica Peterson earned a B.A. degree in mass communication from Rust College (1995), a historically black college in Mississippi. She also holds an M.B.A. from Fontbonne University (2001), located in St. Louis, Missouri, and a M.Div. degree (Summa Cum Laude) from the Interdenominational Theological Center (2012) in Atlanta, Georgia. In addition, Monica has been an ordained minister since 2008. She also holds certificates in domestic violence and boundary training.

After recognizing she had been in an on-again, off-again abusive relationship with a narcissist for over 15 years, Monica Peterson is now determined to bring awareness to this abuse in all its forms. As a result of working with her nonprofit, individuals transform their lives from victims to victors through education, awareness, and prevention of narcissistic/psychological abuse, a form of domestic violence. She has created workshops, seminars, programs, and conferences that help individuals recognize the signs of toxic relationships, build self-confidence, set healthy boundaries, and achieve their goals.

Her passion for helping people has led her to work with other nonprofit organizations such as Mentor St. Louis, Women's Connection, and The Salvation Army Boys and Girls Clubs Atlanta. She has served as a minister on staff at St. Paul A.M.E. Church in St. Louis, Saint Philip A.M.E. Church in Atlanta, and she currently serves at the Embassy of Heaven in St. Louis.

Monica Peterson has provided speaking, training, community education, and personal and professional development. In August 2022, Peterson spoke at the National Community Action Partnership Convention (NCAP) in New York, New York. Peterson facilitated a workshop with the women's program at the Fathers and Families Support Center in 2021 and 2022. Ms. Peterson provided personal and professional development at Family Workforce of America's (F.W.C.A.) Entrepreneurship Training Program and B.J.C. Behavioral Health, I.T.C.D. Team of case managers, doctors, and nurses. N.A.R.C. provided domestic violence training with ALIVE's domestic violence staff and the staff at the Community Action Agency of St. Louis County (C.A.A.S.T.L.C.). In 2023, Ms. Peterson spoke to a group of older women from Our Second Act organization. N.A.R.C. has been featured on television (ABC 30), radio (Hallelujah 1600), podcasts, Instagram, YouTube, and Facebook Live interviews.

Monica Peterson works and lives in St. Louis, Missouri. Her son, Dayton, is 21 and ready to get his CDL. Monica serves on the Advisory Board of C.A.A.S.T.L.C. and the St. Louis Community College Advisory Board.

To learn more about the products, services, or resources at the Narcissistic Abuse Recovery Center, visit us on Facebook, Instagram, Twitter, and LinkedIn:

<https://www.flowcode.com/page/narcrecoverydaily> or [www.thenarcenter.org](http://www.thenarcenter.org).

# Narcissistic Abuse

Monica L. Peterson, President  
Narcissistic Abuse Institute LLC



NAICS: 611710

Cage: 96TT4

## **Mission:**

The mission of the Narcissistic Abuse Institute LLC is to bring awareness, education, and prevention of narcissistic abuse through study and research by providing educational materials and training.

## **Goals:**

The goal of the Narcissistic Abuse Institute LLC is to provide products and services that assist in the study and research of narcissistic abuse; as well as provide wholistic ways of healing from this form of domestic violence.

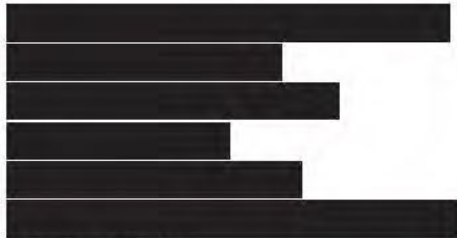
PRODUCTS	SERVICES
Books	Support Groups
Workbooks	One-on-One Consulting
eBooks	Non-Therapeutic Spiritual Counseling
Online Courses	Personal and Professional Development
App	Educational Trainings to healthcare professionals, judges, police, lawyers, domestic violence agencies
Magazine	Speaking Engagements to corporate employees, small businesses, government entities
Podcasts	Community Education to churches, schools, colleges, organizations
YouTube Videos	Mastermind Sessions
Webinars / Seminars	Conferences
Workshops	Retreats
Promotional Items	Social Media Networking

"They come to you in sheep's clothing but inwardly they are ferocious wolves." Matt. 7:15



# Narcissistic Abuse Institute LLC

**Monica L. Peterson, President**  
Narcissistic Abuse Institute LLC



NAICS: 611710

Cage: 96TT4

## **Mission:**

The mission of the Narcissistic Abuse Institute LLC is to bring awareness, education, and prevention of narcissistic abuse through study and research by providing educational materials and training.

## **TOP 10 Red Flags of Narcissistic Abuse**

- 1. Lacks empathy**
- 2. Grandiose sense of self-importance**
- 3. Needs Admiration**
- 4. Exploits others for own gain**
- 5. Envious**
- 6. Believe others are envious of them**
- 7. Arrogant**
- 8. Pathological lying (frequently not easily detectable)**
- 9. Irresponsible and unreliable**
- 10. Emotionally and psychologically abusive  
(e.g., manipulative, bullying, engages in silent treatment)**

[1] NPD is defined as comprising a pervasive pattern of grandiosity (in fantasy or behavior), a constant need for admiration, and a lack of empathy, beginning by early adulthood and present in a variety of contexts, as indicated by the presence of at least 5 of the 9 criteria. According to the, American Psychiatric Association's Diagnostic and Statistical Manual of Mental Disorders, Fifth Edition (DSM-5)



## What is emotional or psychological abuse?

Emotional or psychological abuse (terms often used interchangeably) involves trauma to the victim caused by verbal abuse, acts, threats of acts, or coercive tactics.<sup>1</sup> Perpetrators use emotional or psychological abuse to control, terrorize and denigrate their victims. It frequently occurs prior to or concurrently with physical or sexual abuse. Emotional or psychological abuse includes:

- Humiliating the victim
- Controlling what the victim can/cannot do
- Withholding information from the victim
- Deliberately doing something to make the victim feel diminished/embarrassed
- Isolating the victim from friends/family
- Denying the victim access to money or other basic resources
- Stalking
- Denigrating the victim in public or in private
- Undermining the victim's confidence and/or sense of self-worth
- Convincing the victim (s)he is crazy
- Other forms of verbal abuse<sup>2</sup>

Emotional or psychological abuse increases the trauma of physical and sexual abuse, and number of studies have demonstrated that emotional or psychological abuse independently causes long-term damage to a victim's mental health. These include depression, post-traumatic stress disorder, suicidal ideation, low self-esteem, difficulty trusting others. Subtle emotional psychological abuse is often more harmful than either overt emotional or psychological abuse or direct aggression.<sup>3</sup>

## Did you know?

- 48.4% of women and 48.8% of men have experienced at least one psychologically aggressive behavior by an intimate partner.<sup>4</sup>
- 4 in 10 women and 4 in 10 men have experienced at least one form of coercive control by an intimate partner in their lifetime.<sup>5</sup>
- 17.9% of women have experienced a situation where an intimate partner tried to keep them from seeing family and friends.<sup>6</sup>
- 18.7% of women have experienced threats of physical harm by an intimate partner.<sup>7</sup>
- 95% of men who physically abuse their intimate partners also psychologically abuse them.<sup>8</sup>
- An employed woman with an unemployed partner is more than twice as likely to be psychologically abused by her partner than a woman with a different employment situation.<sup>9</sup>
- Women who earn 65% or more of their households' income are more likely to be psychologically abused than women who learn less than 65% of their households' income.<sup>10</sup>

from

If you are in crisis, contact The National Domestic Violence Hotline at 1-800-799-SAFE (7233) or [www.TheHotline.org](http://www.TheHotline.org).

Please visit the National Coalition Against Domestic Violence's website at [www.ncadv.org](http://www.ncadv.org) for more fact sheets, membership information, and valuable resources.

Suggested citation: National Coalition Against Domestic Violence. (2015). *Emotional or psychological abuse*. [https://assets.speakcdn.com/assets/2497/domestic\\_violence\\_and\\_psychological\\_abuse\\_ncadv.pdf](https://assets.speakcdn.com/assets/2497/domestic_violence_and_psychological_abuse_ncadv.pdf)



## Impacts of emotional or psychological abuse

- 7 out of 10 emotionally or psychologically abused women display symptoms of PTSD and/or depression.<sup>11</sup>
- Women experiencing emotional or psychological intimate partner violence are significantly more likely to report poor physical and mental health and to have more than 5 physician visits in the last year.<sup>12</sup>
- Emotional or psychological abuse is a stronger predictor of PTSD than physical abuse among women.<sup>13</sup>

## Am I in an emotionally or psychologically abusive relationship?

Does your partner:

- Threaten to harm you, your children, your family and/or your pets?
- Tell you are worthless?
- Tell you no one else will ever love you?
- Isolate you from your friends and/or family?
- Control your behavior and movements?
- Monitor your whereabouts?
- Tell you that you are crazy?
- Demean you in public or in private?
- Constantly criticize you?
- Blame you for everything that goes wrong?
- Stalk you?
- Cause you to feel guilt over things that are not your fault?
- Threaten to take away your children?

<sup>1</sup> Centers for Disease Control and Prevention (2014). *Intimate partner violence: Definitions*. Retrieved from <http://www.cdc.gov/violenceprevention/intimatepartnerviolence/definitions.html>.

<sup>2</sup> Ibid.

<sup>3</sup> O'Leary, K. D. & Mairuo, R. D. (2005). *Psychological abuse in violent domestic relations*. New York, NY: Springer Publishing Company.

<sup>4</sup> Breiding, M. J., Chen, J. & Black, M. C. (2014). *Intimate partner violence in the United States – 2010*. Retrieved from [http://www.cdc.gov/violenceprevention/pdf/cdc\\_nisvs\\_ipv\\_report\\_2013\\_v17\\_single\\_a.pdf](http://www.cdc.gov/violenceprevention/pdf/cdc_nisvs_ipv_report_2013_v17_single_a.pdf).

<sup>5</sup> Ibid.

<sup>6</sup> Ibid.

<sup>7</sup> Ibid.

<sup>8</sup> Henning, K., & Klesges, L.M (2003). Prevalence and characteristics of psychological abuse reported by court-involved battered women. *Journal of Interpersonal Violence*, 18(8), 857-871.

<sup>9</sup> Kaukinen, C. (2004). Status compatibility, physical violence, and emotional abuse in intimate relationships. *Journal of Marriage and Family*, 66(2), 452-471.

<sup>10</sup> Ibid.

<sup>11</sup> Pico-Alfonso, M., Garcia-Linares, I., Celda-Navarro, N., Blasco-Ros, C., Echeburua, E., & Martinez, M. (2006). The impact of physical, psychological, and sexual intimate male partner violence on women's mental health: Depressive symptoms, posttraumatic stress disorder, state anxiety, and suicide. *Journal of Women's Health*, 15(5), 599-611.

<sup>12</sup> Coker, A., Smith, P., Bethea, L., King, M. & McKeown, R. (2000). Physical health consequences of physical and psychological intimate partner violence. *Archives of Family Medicine*, 9(5), 451-457.

<sup>13</sup> Dutton, M.A., Green, B., Kaltman, S., Roesch, D., Zeffiro, T. & Krause, E. (2006). Intimate partner violence, PTSD, and adverse health outcomes. *Journal of Interpersonal Violence*, 21(7), 955-968.

from

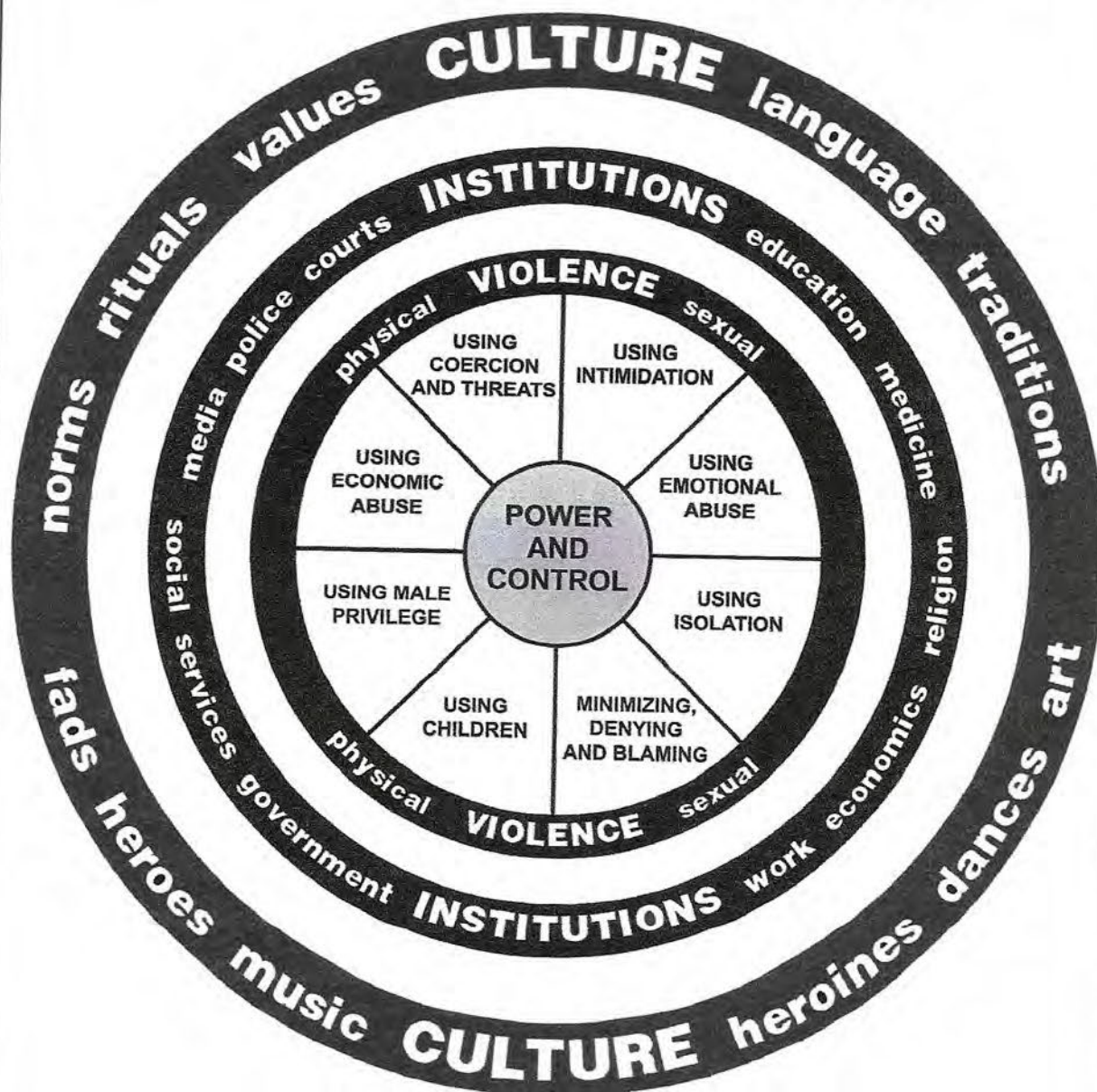
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## POWER AND CONTROL WHEEL

**Domestic violence is a socially supported behavior, learned through observation, experience and reinforcement. It is learned through our culture, institutions, families, schools and peer groups.**



The "Power and Control Wheel" was developed by the Domestic Abuse Intervention Project in Duluth, MN.



Read each statement in the checklist carefully and check the statements that apply. Be honest; think about what you have heard an individual say or seen him or her do, or what others have expressed to you. Obviously, the best evidence is what you yourself have observed and how you feel when you are around or interact with this person.

Check only the statements that apply. Don't guess or include more than meet the criteria exactly. *If in doubt, leave it out.* Some items seem repetitive or appear to overlap—that is intentional, to capture nuances of behavior based on how people typically experience or describe these personalities.

It is very important that you complete the entire checklist, as designed, to increase its reliability. Each complete checklist covers very subtle yet significant issues that you may never have thought about. Some items may help you remember events you'd forgotten. Please read each statement, even if you feel you've seen enough or that the first few items don't seem to apply.

Gender pronouns (he, she, etc.) are used interchangeably in the statements. Any statement may be applicable to any gender.

We'll evaluate scores when you're done, but for now, check off each item below that applies.

- ☐ 1. Projects self-importance beyond position, experience, or what has been duly earned or deserves.
- ☐ 2. Has a grandiose idea of who he is and what he can achieve.
- ☐ 3. Often talks about his need to lead, to be in charge, to exercise power, or for achieving immediate success.
- ☐ 4. Believes she should only associate with other "special," "successful," or "high-status" people.
- ☐ 5. Requires excessive admiration from others.
- ☐ 6. Has a sense of entitlement, expecting to be treated as someone special or given priority at all times.
- ☐ 7. Is interpersonally exploitative of others and takes advantage of others for personal gain.

- ☐ 8. Lacks empathy and is unable to recognize the needs or suffering of others.
- ☐ 9. Is often envious of others or believes others are envious of him.
- ☐ 10. Is arrogant and haughty in behavior or attitude.
- ☐ 11. Has a tendency to see her problems as unique or more acute than anyone else's.
- ☐ 12. Has an exaggerated sense of privilege that allows him to bend rules and break laws.
- ☐ 13. Is excessively self-centered to the point of alienating others by being so "I" or "me" oriented.
- ☐ 14. Is hypersensitive to how she is seen or perceived by others.
- ☐ 15. Has regularly irritated or upset you, and others complain of the same.
- ☐ 16. Routinely spends an inordinate amount of time on grooming, looking good, and being pampered.
- ☐ 17. Tends to overvalue himself and his capabilities in almost all things.
- ☐ 18. Has devalued others as being inferior, incapable, or not worthy.
- ☐ 19. Has demonstrated little sympathy or empathy for others; nevertheless, she expects others to show her empathy.
- ☐ 20. Has ignored the needs of others, including biological (food, water, etc.), physical (housing, clothing, etc.), emotional (love, touching, hugging, etc.), and financial needs, on multiple occasions.
- ☐ 21. Is not happy when others succeed or receive recognition.
- ☐ 22. Is considered to be or acts like a bully.
- ☐ 23. Talks at you rather than with you.
- ☐ 24. Needs to be the center of attention and does things to distract others to ensure being noticed (e.g., arriving late, wearing eye-catching clothing, using dramatic language, or making theatrical entrances).



- ☐ 25. When she communicates with you, it feels as if she is sending messages but is not receiving messages. Communication is only one-way.
- ☐ 26. Assumes others value him as much as he does himself and is shocked to learn that they don't.
- ☐ 27. Insists on having the best of everything (house, car, electronics, jewelry, clothes), even when she can't afford it.
- ☐ 28. Appears to have difficulty comprehending deep emotions. Seems emotionally detached at times when deeply felt emotions are most needed.
- ☐ 29. Has a need to control others and demands total loyalty at all times.
- ☐ 30. Behaves as though people are objects to be used, manipulated, or exploited.
- ☐ 31. Repeatedly has violated boundaries of rules, privacy, secrecy, or social decorum.
- ☐ 32. Only sees her own problems and repeatedly ignores the problems or struggles others may have.
- ☐ 33. Seems to lack altruistic qualities—everything is done for a selfish purpose; rarely does anything for the good of others.
- ☐ 34. Even without any kind of demonstrated achievement, acts self-important or accomplished.
- ☐ 35. Has a need to habitually inflate personal accomplishments, deeds, or experiences.
- ☐ 36. When others speak of accomplishments, he boasts of his own accomplishments or orients the conversation so that his accomplishments are also recognized.
- ☐ 37. Feels entitled to any one of these: success, fame, fortune, or sex, with no legal, moral, or ethical inhibitions.
- ☐ 38. At work, habitually competes with peers for attention or praise and devalues them to garner favor with those in authority.



- ☐ 39. When criticized, seems insecure and tends to lash out.
- ☐ 40. Has acted imperious at times, not wishing to know what others think, have planned, or are concerned about.
- ☐ 41. Has acted or believes self to be omnipotent, unwilling to realize her own weaknesses or frailties.
- ☐ 42. Is superficially charming or interesting.
- ☐ 43. Has presented himself as something he is not (impostor), such as a doctor, military officer, astronaut, or Navy SEAL, for example.
- ☐ 44. Is very interesting to be around at first, but after a while saps you of energy or interest.
- ☐ 45. Has made you feel that her cup must always be filled as yours runs empty.
- ☐ 46. Has devalued you or your work and made you feel worthless without any consideration for your feelings.
- ☐ 47. Has shown interest in and curiosity about how others achieved success, but is unwilling to dedicate or sacrifice himself to that effort.
- ☐ 48. Has grandiose fantasies of achievement (high political office) that are rarely fulfilled legitimately or at all.
- ☐ 49. Is preoccupied with achieving social acclaim or political office by any means.
- ☐ 50. Has repeatedly bought expensive or valuable things for herself, but refuses to do the same for family members.
- ☐ 51. Constantly underestimates others' ability and capacity to perform.
- ☐ 52. Sees himself as superior in intellect, capacity, or looks compared to others.
- ☐ 53. Enjoys putting others down so that she feels better about herself.
- ☐ 54. Has publicly belittled those who don't measure up to expectations, including his own children.

- ☐ 55. Is disinterested in knowing more about you and lacks normal curiosity in others.
- ☐ 56. At times, displays a certain coldness or aloofness that makes you worry about who she really is and/or whether or not you really know her.
- ☐ 57. When interacting with others, perceives benign actions such as seat adjusting, turning, checking of phone, or looking at watch as disinterest and becomes unnecessarily offended or irritated.
- ☐ 58. Treats those who are deemed to be below him with contempt and arrogance.
- ☐ 59. Only appreciates those who can do something for her.
- ☐ 60. Has interpersonal relationships that seem always impaired or in difficulty due to his ego and grandiosity.
- ☐ 61. Sees herself as having special knowledge or unique understanding and talks about herself that way.
- ☐ 62. Has a personality that wears on you, or you find him annoying.
- ☐ 63. Is inappropriately boastful of accomplishments.
- ☐ 64. The word "I" dominates conversations. She is oblivious to how often she references herself.
- ☐ 65. Comes across as self-righteous and above scrutiny.
- ☐ 66. Has achieved much success but at the price of others whom she rarely, if ever, properly credits.
- ☐ 67. Has commented that this person or that group is "inferior" or is "worthless."
- ☐ 68. Favors the use of cocaine (specifically) to potentiate his grandiosity, abilities, or self-worth.
- ☐ 69. Claims to be an exceptional lover or seducer. Boasts about repeated conquests.
- ☐ 70. Hates to be embarrassed or to fail publicly.
- ☐ 71. Doesn't ever seem to feel guilty for anything she has done wrong and never apologizes.



- ☐ 72. Believes he has the answer and solution to most problems, no matter how complex.
- ☐ 73. Believes herself to always be right and everyone else is wrong.
- ☐ 74. Sees those who disagree with him as "enemies."
- ☐ 75. Has resorted to cheating, conning, scheming, embezzling, or other white-collar crimes to achieve success.
- ☐ 76. Is often rigid, unbending, and insensitive.
- ☐ 77. Tries to control what others do or think.
- ☐ 78. Tends to be possessive of loved ones or family members and interferes with their freedom; doesn't like it when friends or outsiders visit.
- ☐ 79. Offers short-term, superficial, or self-serving demonstrations of empathy.
- ☐ 80. One senses he wants to destroy or spoil the fortunes of those he envies or is in competition with.
- ☐ 81. Has refused to look at or recognize a proud accomplishment of yours or fails to acknowledge pain and suffering of others.
- ☐ 82. Often reacts to criticism with retaliation, vilification, counterattack, rage, or callousness.
- ☐ 83. Can't be bothered to work, claiming it would interfere with "thinking," "planning," "networking," "studying," or "preparing."
- ☐ 84. Joined a club or purchased a golf membership or organization, just to be seen in the right places with the "right kind of people," but can ill afford to do so.
- ☐ 85. Sees flaws in others routinely, but none in herself.
- ☐ 86. Does not like to be critiqued, even when it is helpful.
- ☐ 87. Sees personal problems in others as signs of inferiority, weakness, or poor impulse control.
- ☐ 88. Consistently brags or boasts about expensive purchases (jewelry, toys, properties, cars, etc.).

- ☐ 89. At work, repeatedly overstates to management his value and contributions.
- ☐ 90. Very easily sees weaknesses in others and is quick to exploit those weaknesses.
- ☐ 91. Is in a parasitic or exploitative relationship, taking advantage of someone financially (refuses to work or contribute although healthy and capable).
- ☐ 92. Has at least once said that from an early age, felt "destined for greatness."
- ☐ 93. Seems to be highly dependent on tribute and adoration and will often fish for compliments.
- ☐ 94. Is not a very good listener or only listens when there is a compliment in it for her.
- ☐ 95. Demands that others make changes to suit his needs at their expense or inconvenience.
- ☐ 96. Is cunning and manipulative, seeking always to have the greatest advantage.
- ☐ 97. Doesn't seem to reciprocate in kind with attention, gratitude, or kindness to others.
- ☐ 98. Uses insults to establish superiority, dominance, or control.
- ☐ 99. Has made bogus claims about education or degrees (for example, claiming to have a PhD).
- ☐ 100. Maintains appearance of extravagant lifestyle despite being financially frail or having filed for bankruptcy.
- ☐ 101. Repeatedly fails to see or view things from others' perspective; lacks empathetic understanding of others and their needs or desires.
- ☐ 102. Likes to be around notable people to bask in their glory or likes to name-drop.
- ☐ 103. Thinks that not everyone is worthy to be around her.
- ☐ 104. Has a shallow emotional life and detests when others come to him with their "trivial" emotional problems.



- ☐ 105. Can be shy and solitary, but nevertheless is arrogant toward others and believes in her own superiority or uniqueness.
- ☐ 106. Has lied about the past, about accomplishments, or to conceal legal or ethical transgressions, including failure to act or notify.
- ☐ 107. Becomes indignant when others fail to show absolute loyalty.
- ☐ 108. Has intentionally kept you or others waiting or has extended meetings or conversations, inconveniencing others.
- ☐ 109. Is never appreciative or satisfied with compensation or perks at work, even though they are generous.
- ☐ 110. Doesn't hesitate to burden others with the trivial, even when others are occupied or attending to more important things.
- ☐ 111. Frantically tries to maintain a youthful body and appearance by overdoing workouts, physical exploits, cosmetics, or surgery.
- ☐ 112. Seems to be proving himself and affirming sexuality by having repeated extramarital affairs.
- ☐ 113. Most of her enjoyment seems to be from the tributes received from others.
- ☐ 114. Has taken pleasure in duping others, including parents, friends, and associates.
- ☐ 115. Rather than feeling happy for others' success, is jealous or petty and begrudges their success.
- ☐ 116. Has quit a relationship or a friendship once it no longer benefited him socially or financially.
- ☐ 117. Has actively looked for a trophy wife or partner to help with career or political ambitions.
- ☐ 118. Tactically plans day or events so as to garner attention and praise.

- ☐ 119. Is unable to identify the needs, wants, desires, and feelings of those closest to her.
- ☐ 120. Is impatient with others.
- ☐ 121. Incessantly talks about himself or his aspirations.
- ☐ 122. Tends to discuss personal issues or concerns in inappropriate or expansive detail, oblivious to time constraints or the sensitivities of others.
- ☐ 123. Often says things that are hurtful to others, yet shows no remorse.
- ☐ 124. One of these words usually applies to her: snobbish, disdainful, arrogant, patronizing.
- ☐ 125. Has criticized those who follow rules or who patiently wait in line.
- ☐ 126. Appears to be especially lacking in sadness and mournful longing.
- ☐ 127. Is only concerned with getting caught or being shamed in public, not with being ethical.
- ☐ 128. Even after many years, you feel like you really don't know this person.
- ☐ 129. Has used family or friends to lie on his behalf.
- ☐ 130. Is unwilling to acknowledge mistakes, wrongdoings, bad ideas, or perilous actions.

## SCORING

- ☒ Count how many statements apply to this individual based on the criteria discussed at the beginning of this checklist.
- ☒ If you find that this individual has 15 to 25 of these features, this is a person who will occasionally take an emotional toll on others and may be difficult to live or work with.



- ☑ If the score is 26 to 65, this indicates that the individual has all the features of and behaves as a narcissistic personality. This person needs help and will cause turmoil in the life of anyone close to him or her.
- ☑ If the score is above 65, this person has a preponderance of the major features of a narcissistic personality and is an emotional, psychological, financial, or physical danger to you or others.

## IMMEDIATE ACTIONS

Perhaps the checklist has confirmed for you that what you have long suspected is correct: You may be in a relationship or work with someone who meets the criteria of a narcissist. Perhaps you've been tormented and victimized, and completing the checklist now gives you validation and impetus to better deal with this individual, seek help, or change your situation. Congratulations—you have taken a giant step by educating yourself so that you can more effectively deal with these individuals.

What you do now will be based on many things, among them your situation and how this individual scored on the checklist. You may be able to ignore this individual at work. Or you may not have a choice: You may have to live with this person, and while this individual may be irritating, he or she may score low enough on the checklist to perhaps be tolerable. But maybe the person scored very high and presents you with the possibility of enduring torment, degradation, or even psychological damage. Only you can decide that, but now you have something concrete to work with as you come to terms with what's happening, whether you do that with friends, clergy, HR, your boss, a mental health professional, social services, or even the police.



[REDACTED]

**Sent:** Monday, July 1, 2013 at 12:03:06 PM MDI  
**Subject:** FW: form 3.3 (UNCLASSIFIED)

-----Original Message-----

[REDACTED]

)  
**Subject:** form 3.3 (UNCLASSIFIED)  
**Importance:** High

**Classification:** UNCLASSIFIED  
**Caveats:** NONE

Found it!

[REDACTED]

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-----Original Message-----

**From:** Wells, Warren L LTC USARMY (US)  
**Sent:** Wednesday, June 12, 2013 2:17 PM

[REDACTED]

**Subject:** Wednesday tidbits (UNCLASSIFIED)  
**Importance:** High

**Classification:** UNCLASSIFIED  
**Caveats:** NONE

Great Plains SDCs - A few tidbits, one with an IMMEDIATE suspense.

1. S: IMMEDIATE. Per order of SECARMY and the Commander, USALSA, leaders (including TDS SDCs) are to conduct immediate inspections of their field offices for any publicly displayed sexually explicit material or other

offensive or degrading material. E.g. - No centerfolds pinned up or nasty screensavers. Ohio State and Texas A&M paraphernalia, while offensive, are not

covered in the order. Attached are the two memos ordering this done and an inspection form which you must SIGN. Reports must be submitted to me by either 1600, or to the XO of USATDS by noon tomorrow

[REDACTED] If you don't get it to me by 1600 today, send

to [REDACTED] Sorry folks, BG Ayers signed his memo yesterday, and the tasker hit my inbox about 20 minutes ago.

2. The Chief, USTDS, has directed that we use a new post-trial and appellate rights form, DCAP Form 3.3 beginning 1 July 2013. If the sentence in a case is announced on or before 30 June 2013, use DCAP Form 3.2. If sentence is announced on or after 1 July 2013, use DCAP Form 3.3.

Attached is the new DCAP Form 3.3 and a DCAP Sends explaining the differences between DCAP Forms 3.2 and 3.3.

3. The sexual-assault ridiculousness continues. Commander of US Forces Japan

relieved for allegedly failing to properly investigate SA allegations.

Link:

<http://www.defense.gov/releases/release.aspx?releaseid=16083> Expect no commander to be able to make objective decisions involving SA allegations as

long Congress and our political masters are dancing by the fire of misleading statistics and one-sided, repetitive misinformation by those with an agenda.

Hopefully a Soldier will be able to get a fair trial. You and your teams are now the ONLY line of defense against false allegations and sobriety regret. You literally are the personal defenders of those no one will now defend, even when all signs indicate innocence.

4. I am on leave tomorrow and Friday, but can be reached by BB if something

arises. Next week I'll be at SATAC in Charlottesville. I'll be able to check email at the end of the day, but won't be readily available.

5. During my leave, from 1-15 July, [REDACTED] will be the acting RDC. His BB number is [REDACTED].

Folks, keep up your great work. The job you do is vitally important to the lives of those you lead and the Soldiers we serve.

WLW

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Classification: UNCLASSIFIED  
Caveats: NONE

Classification: UNCLASSIFIED  
Caveats: NONE

**INTRACTABLE DEFICIENCIES IN THE DOD AND SERVICES' INSPECTOR GENERAL SYSTEM HAVE COMPROMISED AND WILL CONTINUE TO COMPROMISE THE UNITED STATES MILITARY'S EFFORTS TO, AMONG OTHER THINGS, IMPLEMENT HISTORIC CHANGES PURSUANT TO THE "I AM VANESSA GUILLEN ACT," WHICH THE DAC-IPAD IS CHARGED WITH OVERSEEING, THEREBY NECESSITATING AN INDEPENDENT ADMINISTRATIVE INVESTIGATORY BODY**

November 27, 2023  
Ryan Sweazey Lt Col, USAF (Ret.)  
Barbara Snow, Esq.

The authors provide this paper as two of many individuals who have identified, firsthand and in learning of the accounts of others, the need for an independent administrative investigatory body, one that is entirely separate and apart from command and other partial influences.<sup>1</sup>

The purpose of this paper is to address the interplay of the Defense Advisory Committee on Investigation, Prosecution, and Defense of Sexual Assault in the Armed Forces' (DAC-IPAD) work in overseeing legislatively-mandated changes to the investigation, prosecution, and defense of sexual assaults in the U.S. military with administrative investigations that form a separate channel, outside of criminal investigations, by which sexual assaults (and other serious criminal offenses) and misconduct by players (to include senior leaders) within the military justice system are initially reported - even prior to Office of Special Trial Counsel involvement, where appropriate. The ultimate objective of this paper is to demonstrate the critical need for a fully operational administrative investigatory body, entirely independent from any DoD command and unburdened by other improper influences, and properly equipped with competent, well-trained professional investigators. This objective is in line with recent policy decisions related to the incremental separation of law enforcement activities associated with the investigation of crimes from the chain of command by placing a civilian in charge of the Army's Criminal Investigation Command, while underscoring the need for more ambitious separation of command influence from the critical function of administrative investigations to root out corruption and abuses of power.<sup>2</sup>

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<sup>1</sup>Ryan Sweazey, the Founder and President of Walk the Talk Foundation, LLC, for the last two years, previously served in the U.S. Air Force as a pilot and with the Air Force Inspector General (from 2013 to 2016) and then the Defense Intelligence Agency (from 2017 to 2020). Barbara (Barb) Snow, Esq, is a licensed attorney who currently practices criminal defense as civilian counsel. Ms. Snow served in the Army JAG Corps as a Judge Advocate, from 2006 to 2014 (active duty), and from 2014 to 2017 (Reserves). **(Appendix 1)**.

<sup>2</sup> Relevant Army Regulation restricted from the public; see also Britzy, H. May 6, 2021. *Army Puts Civilian in Charge of Criminal Investigations in Response to Glaring Issues Found in the Fort Hood Report*. Task & Purpose.

<https://taskandpurpose.com/news/army-civilian-cid-fort-hood/>

The need for an entirely independent investigatory body as it relates to criminal investigations is itself worthy of serious consideration and the worthy subject of a separate, future paper. To the best of the authors' understanding, none of the military branches have criminal investigatory agencies that are free from the concerns plaguing military administrative investigatory bodies – not even the Army's CID, whose civilian leader the authors understand still falls under the command and influence of the Department of Defense.

The DoDIG is authorized, pursuant to the Inspector General Act of 1978, as amended: 1.2.1.4 Section 7(a), to receive and investigate complaints or information concerning an activity constituting a violation of law, rule, or regulation, or mismanagement, gross waste of funds, abuse of authority, or a substantial and specific danger to the public health and safety.<sup>3</sup>

The relevant aspect of the DoDIG's vision for its administrative investigations is not facially problematic:

The ODIG AI [administrative investigation] mission: AI helps ensure ethical conduct throughout the DoD by conducting investigations and overseeing DoD component investigations of allegations of misconduct by senior DoD officials, whistleblower reprisal<sup>4</sup>, and Service member restriction from communication with an IG or Member of Congress.<sup>5</sup>

What is problematic, however, is the manner in which these investigations are actually conducted, with a fundamental problem stemming from the IG's existing reporting structure. A ready example of this is the influence commanders and units can and do have on the fairness and impartiality of DoD investigations. The automatic forwarding of written concerns by a unit commander to the IG's office is one link in this process that contributes to commanders and other interested senior leaders retaining visibility and, therefore, potentially influencing pending investigations – while also stripping reporting parties of their right to determine whether they want to seek a formal administrative investigation, especially if they distrust the IG<sup>6</sup>

This issue is compounded by the inexperience of nominal investigators who lack the requisite training and skills to conduct proper and thorough investigations.<sup>7</sup> Investigative activities, held out as working to protect the military services in theory, oftentimes produce

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<sup>3</sup> Office of the Deputy Inspector General for Administrative Investigations, Administrative Investigations Manual, September 23, 2022, p. 5.

<sup>4</sup> Whistleblower protections center around not restricting a Service Members' right to make lawful communications to a Member of Congress or an inspector general (IG). DoDD 7050.06. October 12, 2021. Of relevance to this paper, see *infra*, no known analogous protections through established remedies outside of the existing IG investigatory process exist for civilians whose knowledge of information relevant to a complaint is obstructed by an individual who would otherwise be the subject of an investigation. The effect is the same in either scenario – restriction of an individual's ability to communicate with Congress or an IG.

<sup>5</sup> Office of the Deputy Inspector General for Administrative Investigations, Administrative Investigations Manual, September 23, 2022, p. 6.

<sup>6</sup> Current Service Members and Veterans alike distrust the IG to conduct investigations in a fair and competent manner. This distrust is evinced in them airing grievances on social media as an alternative to addressing their grievances in what should be meaningful investigations that seek to comprehensibly unearth and rectify wrongdoing. **See Appendix 2.** (Twitter posts a member of the Army JAG Corps alerted the reporting party in the Army's Lead Special Trial Counsel inquiry to, before the reporting party provided her written letter to the Army's Deputy Judge Advocate General and less than two weeks after the Army's Lead Special Trial Counsel was promoted to Brigadier General).

<sup>7</sup> Author Ryan Sweazey's experience working as an IG is that investigators receive as little as one week of required training on how to investigate claims of misconduct.

lackluster investigatory findings that end up (un)intentionally protecting bad senior actors in the military services. The “success” of these investigations frequently rests with administrative investigations affirmatively compromising the safety and wellbeing of the very individuals the military services should be protecting, and to whom redress is owed, in the process of protecting our national security.<sup>8</sup>

An additional compounding issue lies with the fact that the current IG investigations manual expressly denies that its “guidelines” for IG investigations create “any right, entitlement, or privilege on the part of any person with respect to any official activity of the ODIG AI.”<sup>9</sup> Absent any straightforward mechanism for causes of action against it for negligence or malfeasance, the DoD IG is even less incentivized to conduct fair and impartial investigations – its stated purpose notwithstanding. The creation and proper resourcing of an entirely independent (from the DoD) administrative investigatory body would act to curtail the significant harm the improperly influenced, under-resourced and disincentivized existing IG activities have caused: (1) individuals, (2) the proper functioning of the military branches, and (3) national security.

Incompetent and partial administrative investigations factor into the retention and promotion of toxic leaders, that is superiors “with dysfunctional personal characteristics who routinely engage[ ] in negative behaviors without regard for the well-being of subordinates and unit morale.”<sup>10</sup> The result in the respective military branches in turning a blind eye to “issues of extralegal violence, sexism, racism, toxicity, obstruction, and corruption” – even at the hands of one toxic leader - can be devastating and the risks of that harm necessitate

all organizations (including public institutions) [ ] dar[ing] to expose and confront their leadership failures, **no matter how disconcerting or embarrassing**. Candid self-examinations are crucial for the U.S. military given its vital role in our democratic society. Because of the disproportionate power and influence of generals and admirals, their misconduct can have utterly dangerous effects, **eroding not only civilian faith and confidence in the military, but also trust and respect *within* the all-volunteer ranks. ‘Liberty cannot be preserved’ unless the citizenry has ‘that most dreaded, and envied kind of knowledge,’ the truth about the character and conduct of its leaders.**<sup>11</sup>

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<sup>8</sup> See, e.g., 10 U.S.C. 1034; DoDD 7050.06, Military Whistleblower Protection; see also Matthews, Jeffrey J, *Generals and Admirals, Criminals and Crooks: Dishonorable Leadership in the U.S. Military*. University of Notre Dame Press 2023. P. 137 (referencing “the unwritten contract with the American people about how their sons and daughters should be treated while in service to the nation”)(quoting Reed, George E., *Tarnished Toxic Leadership in the U.S. Military*, p. 26)

<sup>9</sup>Office of the Deputy Inspector General for Administrative Investigations, Administrative Investigations Manual, September 23, 2022, p. 5.

<sup>10</sup> Matthews, Jeffrey J. 2023. *Generals and Admirals, Criminals and Crooks: Dishonorable Leadership in the U.S. Military*. University of Notre Dame. p. xxv.

<sup>11</sup> Id, pp. xix, xx. (emphasis added).



The existing IG structure precludes such needed bold action; It is not realistic to expect commands to police themselves, especially not when a command is led by leaders who benefit from a status quo that fosters and rewards toxic leaders.

The Government Accountability Office (GAO) is a body charged with conducting audits of the existing IG's activities.<sup>12</sup> The GAO identified the following DoD deficiencies in its most recent audit report to congressional requesters, dated September 2022<sup>13</sup>:

**Three out of the four military service IG offices and one combatant command IG office GAO selected for review lack policies that support the command IG independence in opening investigations. Specifically, policies of the Army, Air Force, Marine Corps, and U.S. Indo-Pacific Command IG offices require that command IGs receive approval from the directing authority, which at times is the IG's commanding officer, prior to initiating the IG investigation. Requiring such approval could affect the ability of an IG to perform independent, objective administrative investigations.**

**Officials from the military service IG offices stated that to mitigate this independence concern, a command IG has the option of elevating the complaint to the military service IG. However, this option is not explicitly addressed in military service IG policies. Without clear policies on the processes for initiating investigations, command IGs may not have the authority to independently initiate IG-appropriate investigations, increasing the risk that DoD personnel do not have access to fair and impartial investigations.**

**Selected military service IG offices followed standard hiring practices and had policies and procedures in place to provide initial training to IG staff, but some lacked requirements for recurring training and mechanisms to monitor completion of such training. Each military service IG office had an initial training program ranging from 1 to 3 weeks that is required for each new employee. These training programs address key aspects of administrative investigations. However, the IG offices within the Army, Navy, and Air Force have not established requirements for training in their respective policies for all their personnel who conduct administrative investigations, and do not have mechanisms to track recurring training.**

**GAO found that many of the selected command IGs do not regularly conduct administrative investigations and thus may not be able to maintain proficiencies through regular conduct of investigations. Without establishing requirements for recurring training and developing a**

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<sup>12</sup> <https://www.gao.gov/>

<sup>13</sup> United States Government Accountability Office, Report to Congressional Requesters. Military Inspectors General: Opportunities Exist to Strengthen Processes for Administrative Investigations and Training.

**mechanism to verify compliance, the military service IGs and command IGs are not able to provide reasonable assurance that their personnel are maintaining professional proficiencies.**

Based on post-GAO-audit IG investigation results identified by the authors, the same deficiencies continue unabated. Public and non-public examples of failed DoD investigations abound and public dissent surrounding them is apparent.<sup>14</sup> One can reasonably expect the continued non-abatement of IG deficiencies so long as the body charged with policing the IG – the Council of the Inspectors General on Integrity and Efficiency (CIGIE) - is itself incapable and/or unwilling to do its job.

As a result of 8 DoDIG violations one of the authors<sup>15</sup> identified in the conduct of his whistleblower reprisal investigation, that author submitted a formal complaint to the CIGIE. The CIGIE responded to that formal complaint in a mere 2 days, exonerating the responsible Inspector general of any wrongdoing. Two days. There is a staggeringly low probability that the Council reviewed the allegations with any sort of due diligence in that timeframe. Suspicions arising about the “incestual” nature of that situation were then confirmed during a recent interview with author and former member of the intelligence community, Inspector General Ed Haugland.<sup>16</sup>

The reasons the authors have identified for the continued IG failures include: (1) Personnel assigned to positions in IG billets receive inadequate training and they are not otherwise equipped to carry out their duties (this includes investigating officers and, presumably, their legal advisors, having inadequate trauma-informed training); (2) The inability of investigators within the DoD to exercise true independence because they are nearly always subordinate to the commander of the organization they oversee (i.e., the IG is, as currently organized, a subordinate element within the DoD), and, (3) The non-existence of incentives for Service Members or civilians alike to file an IG complaint because of the low likelihood of success, married with the high personal and/or professional risk a reporting party assumes. These high personal and/or professional risks include reprisal and retaliation, ostracism, a total violation of one’s personal and professional privacy, isolation, embarrassment, and deteriorating physical and mental health, to include suicidal ideation and other trauma responses.

The above list of risks to a reporting party would not be complete if it failed to include additional life-altering effects associated with the reporting party’s involvement in what is the *seemingly* innocuous administrative investigation process, including the removal of a security clearance, being held up for a permanent change of station, derogatory performance reports and the additional psychological impact those adverse actions inevitably have on a reporting party.

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<sup>14</sup> A petition specifically for “Creation of an Independent Inspector General outside of the DoD” was initiated on November 11, 2023 and it, as of the date of this paper, has 713 signatures. <https://www.change.org/p/creation-of-an-independent-inspector-general-outside-of-the-dod>

<sup>15</sup> USAF (ret.) Ryan Sweazey.

<sup>16</sup> The link to that interview is: <https://www.americaoutloud.news/the-systemic-corruption-of-the-dod-ig/>

The recent IG inquiry into the Army's inaugural Lead Special Trial Counsel, resulting from one of the authors' efforts to alert the Army JAG Corps of that individual's deeply concerning conduct and statements to her,<sup>17</sup> has many of the trappings of the failed IG investigation process. That inquiry sheds light on the value administrative investigations **could have** in properly vetting senior military leaders, and at a time our nation's democracy is faltering. That inquiry more specifically highlights the link between the need for properly conducted administrative investigations and the DAC -IPAD's work in ensuring the proper, diligent investigation *and* prosecution of sexual assault crimes. The following, as the reporting party's accounting of events, includes some of the most concerning aspects of what began and ended as a mere IG inquiry, with the recurring themes played out in other administrative investigations and subject to be repeated in still others if not rectified highlighted in bold where appropriate below.

1. The reporting party had initially written a letter to the Army's Deputy Staff Judge Advocate regarding her concerns about the Army's Lead Special Trial Counsel. She wrote this letter after learning from another member of the Army Judge Advocate General's command team that it wanted to get the reporting party in contact with a Colonel in charge of Public Relations. Recognizing that her concerns extended well beyond public relations concerns, the reporting party drafted and emailed her letter to the Army's Deputy Staff Judge Advocate.
2. Prior to emailing her letter to the Army's Deputy Staff Judge Advocate, the reporting party shared a lengthy conversation with that other member of the Army Judge Advocate General's command team, and that individual alerted her to Twitter posts about the Army's Lead Special Trial Counsel that were not inconsistent with what the reporting party was describing. This conversation took place less than two weeks after the Army's Lead Special Trial Counsel had been promoted to BG, to be the Army's Lead Special Trial Counsel.
3. The Army's Deputy Staff Judge Advocate emailed the reporting party, advising her that, pursuant to AR 20-1 (IG Activities and Procedures), paragraph 7-1(1), he forwarded the reporting party's letter regarding misconduct of a senior officer to the Army IG's office.<sup>18</sup>
4. Based on information posted on the initial investigator's LinkedIn page, that initial investigator appointed to the case attended the Army War College at the same time the Army's Lead Special Trial Counsel had.
5. Inquiry by the reporting party regarding that apparent conflict was met with a generic email response back to her advising on the three purposes of the IG office, without any express acknowledgement as to whether an actual conflict existed (i.e., whether the investigator knew of the Army's Lead Special Trial Counsel and

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<sup>17</sup> Barbara Snow, Esq.

<sup>18</sup> Interestingly, the Army's Deputy Staff Judge Advocate did not mention The Army's Lead Special Trial Counsel's name or position in his email to the reporting party. The reporting party was denied the opportunity to decide if she wanted to get the IG involved at the outset when she sent her written communication to the Army JAG Corps leadership.

- otherwise had any sort of knowledge about or acquaintance with him). **[Appearance of a conflict, or existence of an actual conflict, resulting on a lack of objectivity.]**
6. The first IO was replaced by a second IO at some unidentified time before the first interview of the reporting party took place. **[Lack of continuity during investigations resulting in unnecessary delays and/or loss of fidelity in reporting.]**
  7. That second IO did not contact the reporting party until the reporting party emailed the first IO weeks after submitting the DA Form 1559 she was informed she needed to submit (that submission containing the majority of the reporting party's documents), with an inquiry regarding when she would be interviewed and indication that she was contemplating going to the media, for the purpose of giving notice for any others adversely impacted by the Army's Lead Special Trial Counsel to come forward. **[Lengthy delays and unprofessional lack of updates in investigations resulting in prolonged mental and psychological harm to reporting party.]**
  8. The second investigator reached out, introduced herself, and indicated a willingness to interview the reporting party that same week. **[IG responsiveness only when outside entities, to include the media, may become involved.]**
  9. The investigator interviewed the reporting party that same week, making statements the reporting party experienced as intending to dissuade the reporting party from going to the media. While seeking to caveat her dissuasion by discussing with the reporting party that the reporting party was not subject to any order preventing her from engaging the media, the IO played on the reporting party's sympathies about the embarrassment media could cause the Army's Lead Special Trial Counsel's family, as well as referencing the Army's Lead Special Trial Counsel's right to privacy.<sup>19</sup> **[Clear lack of objectivity, plus a lack of understanding of an IG's role, which is to investigate, not to persuade or dissuade or advise in any other regard as to what a Service Member can or cannot do outside the bounds of the investigation. Conflation of the IG's obligations to protect the privacy of a senior military officer with the reporting party's First Amendment rights, especially as related to a public official, which a senior military officer is.]**
  10. The IO did not appear prepared for the first interview, with the reporting party sensing that the IO was looking for the investigating party to lead much of the interview. **[Lack of training, preparedness and/or professional competencies, even within the Army's highest IG office.]**

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<sup>19</sup> The IO's discussion with the reporting party regarding media involvement revealed at least two additional things to the reporting party, beyond the IO's lack of preparedness for that first interview: (1) the IO's, if not her office's focus was to protect the Army's Lead Special Trial Counsel's and his family's reputations and privacy, as opposed to appreciating the reporting party's concerns that there may well be others inside and outside of the Army adversely impacted, and/or at risk of being adversely impacted by the Army's Lead Special Trial Counsel in ways similar to, if not the same as reporting party was, and (2) the investigating party was not experienced in and did not otherwise have the legal background or credentials to properly advise the reporting party regarding her First Amendment rights; her efforts to dissuade the reporting party from exercising her First Amendment rights (especially as they relate to a public official) only exacerbated this issue.

11. The IO reiterated to the reporting party that she needed a pattern of The Army Lead Special Trial Counsel's behaviors, understood as she needed evidence that he engaged in questionable and concerning conduct with more than "just" the reporting party. The message the reporting party received from this emphasis on the IG needing evidence of a pattern, particularly in an email she received from the IG's office after providing a detailed chronology and supporting documents of her own experience of the Army's Lead Special Trial Counsel's behaviors<sup>20</sup>, was that the reporting party was required to conduct the investigation she reasonably understood the IG's office was supposed to conduct.
12. The IO engaged in off-the-record conversations with the reporting party, leaving the reporting party to believe that the IO was going to diligently work on the inquiry. During the first of those off-the-record conversations, the IO expressed the opinion that the Army's Lead Special Trial Counsel had acted inappropriately when, as the Captains Assignments Officer with the Army JAG Corps' Plans, Personnel & Training Office, he (as a then-Lieutenant Colonel) offered a choice overseas assignment to the reporting party when she was just a few weeks away from giving birth to her child. The reporting party was left with the understanding that the IO, in the very least, understood what a poor leader the Army's Lead Special Trial Counsel had been to her.
13. In that same off-the-record conversation, the IO (a civilian) informed the reporting party that, during the (undisclosed) time period when she served in the military, she was the only female in one or more of the offices in which she worked, and that, essentially, some gender discrimination in the military is to be expected. **[Bias, abhorrent ignorance of the laws and regulations of the DoD and DoDIG office]**
14. The IO informed the reporting party that she was experienced in cases involving emotional and psychological abuse, but that IO nonetheless engaged in the following gaslighting of the reporting party:
  - a. The IO asked the reporting party, in relation to the inquiry into the Army's Lead Special Trial Counsel, when the reporting party was going to get on with her life. The reporting party, despite being in her trauma response, was able to advocate for herself in this particular instance by telling the IO that she will be able to move on when she has healed from her PTSD. The reporting party had been diagnosed with PTSD and Anxiety Disorder by her trauma counselor, who she began treating with six days after her second (and last) 2022 telephone call with the Army's Lead Special Trial Counsel (when he was the Chief of the Plans, Personnel & Training Office, pending selection for the Lead Special Trial Counsel Position). The reporting party provided proof of both the start date of her trauma work and her diagnoses, and proof of her last call with the Army's Lead Special Trial Counsel on September 21, 2022, as part of the IG inquiry documentation she submitted. **[Lack of training,**

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<sup>20</sup> A copy of this IG email is attached at **Appendix 3**.

**preparedness and/or professional competencies, even within the Army's highest IG office; Bias and lack of trauma-informed interviewing skills].**

- b. In response to information the reporting party provided to the IO about a car ride in the dark with the Army's Lead Special Trial Counsel (when he was the Great Plains Regional Defense Counsel), the IO essentially questioned the reporting party as to how the reporting party could assert that the Army's Lead Special Trial Counsel did not mentor her (e.g., in substantive criminal law and military leadership matters) during her time under his supervision, when he shared a car ride in the dark with her alone, that he invited her on. **[Lack of training, preparedness and/or professional competencies, even within the Army's highest IG office; Bias and lack of trauma-informed interviewing skills].**
  - c. The IO asked the reporting party wasn't it possible that the Army's Lead Special Trial Counsel (when he was the Chief of the Plans, Personnel & Training Office, pending selection for the Lead Special Trial Counsel Position). was just trying to encourage her when he told her, in a backhanded way, during the September 21, 2022, telephone call she shared with him (him in his Pentagon office) that it would take Jesus Christ parting the Red Sea for her to have an eternal companion in this lifetime. **[Lack of training, preparedness and/or professional competencies, even within the Army's highest IG office; Bias and lack of trauma-informed interviewing skills].**
  - d. The IO asked the reporting party wouldn't she herself tell someone she had worked with that she loved them if she had mistreated them? The IO posed this question to the reporting party in the context of the Army's Lead Special Trial Counsel (when he was the Chief of the Plans, Personnel & Training Office, quite possibly pending selection for the Lead Special Trial Counsel Position), in tears, telling the reporting party that he loved her during the June 28, 2022, telephone call he shared with the reporting party from his Pentagon Office – a telephone call that was intended to be a call wherein the reporting party would discuss the Army's Lead Special Trial Counsel's (when he was the Great Plains Regional Defense Counsel) gender discrimination of her. **[Lack of training, preparedness and/or professional competencies, even within the Army's highest IG office; Bias and lack of trauma-informed interviewing skills.]**
15. The reporting party was already in the midst of a severe trauma response triggered by The Army's Lead Trial Counsel's' behavior toward and statements to her when the IO engaged in this gaslighting, which resulted in the reporting party experiencing further trauma symptoms. **[Unnecessary exacerbation of trauma symptoms, psychological toll of poorly executed, exorbitantly lengthy investigations.]**



16. The reporting party experienced fleeting thoughts of suicide close in time to when the inquiry into the Army's Lead Special Trial Counsel was initiated. Despite the reporting party candidly sharing with both the Army's Deputy Staff Judge Advocate's and then the IG's office information regarding aspects of her trauma response at the outset of the investigation, neither he nor anyone associated with the IG's office recommended any Veteran or other mental health resources to the reporting party at that time. The second investigating officer suggested to the reporting party that she call the DoD hotline only after the reporting party expressly disclosed to that investigator that she had experienced fleeting suicidal ideation. **[Lack of training, preparedness and/or professional competencies, even within the Army's highest IG office; Bias and lack of trauma-informed interviewing skills.]**
17. The reporting party learned in a perfunctory email sent to her from a general IG email address (not from the IO who had interviewed the reporting party) that the IG found that the Army's Lead Special Trial Counsel had not engaged in any misconduct. It did not address the specific concerns identified by the reporting party regarding the Army's Lead Special Trial Counsel's maltreatment of her (when he was the Great Plains Regional Defense Counsel) and conduct unbecoming (when he was the Chief of the Plans, Personnel & Training Office, pending selection for the Lead Special Trial Counsel Position).<sup>21</sup> It did not address the Army's Lead Special Trial Counsel's (when he was the Great Plains Regional Defense Counsel) deeply problematic comments revealing a belief that the occurrence of sexual assaults in the military are *not* an issue and a belief that false allegations and sobriety regret *are* an issue.<sup>22</sup> Throughout the IG inquiry process, as has been the case with other military administrative investigations, the reporting party was left primarily in the dark about its status.<sup>23</sup> This radio silence from the IG only compounded the reporting party's trauma response. Ultimately, it took the IG six months to complete an inquiry it did not take further, into a full investigation. **[Lack of appropriate transparency, from start to finish; incomplete investigatory work; unnecessary exacerbation of trauma symptoms, psychological toll of poorly executed, exorbitantly lengthy investigations.]**

Even despite its receipt of detailed information from the reporting party, to include evidence of the Army's Lead Special Trial Counsel's own statements regarding the very issue his office has been appointed to combat (see email provided at Appendix 7, as indicated at Footnote 30), and even despite evidence of the significantly harmful impact the Army's Lead Special Trial Counsel has had on at least the reporting party – as one former subordinate Soldier, now civilian - the Army IG with DoD "oversight" came back with perfunctory findings the specific evidentiary basis of which the reporting party has been informed she will not

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<sup>21</sup> A copy of the Army IG's email, along with the form letter attached to it, can be found at **Appendix 4**.

<sup>22</sup> When presenting the Army's Lead Special Trial Counsel's comments about false allegations and sobriety regret to the IG's office, the reporting party also informed the IG's office that the Army's Lead Special Trial Counsel had previously made comments about "political/civilian masters" on more than one occasion.

<sup>23</sup> Barnhill, J., Nov. 6, 2023. Burying Victims in Paperwork? Military.com. <https://www.military.com/daily-news/opinions2023/11/06/burying-victims-paperwork.html>

receive for at least one year from the date of her request for same.<sup>24</sup> The IG's poor treatment of the reporting party, a seasoned attorney, begs the question of exactly just how routine this kind of treatment is, especially toward younger, less experienced reporting parties.

Part of the impetus for the reporting party to come forward about the Army's Lead Special Trial Counsel was her good faith belief that he, in tears, professed his love to her in a June 28, 2022, call – a call that was intended to be an opportunity for her to discuss with him his gender discrimination of her - in order to possibly (continue to) muzzle her about the gender discrimination she experienced. Because the Army's Lead Special Trial Counsel also took the added step of informing the reporting party in that June 28, 2022 telephone call that he was looking to retire to a porch swing, and because he did not disclose to the reporting party that he was pending (potential) selection to promotion to Brigadier General for purposes of heading the Army's Office of Special Trial Counsel (a fact he could very likely have known given his position as Chief of the Army JAG Corps' Plans, Personnel & Training Office at the time of that June 2022 telephone call), the reporting party had no way of knowing he would continue his military service and/or that he was going to do so as a general officer, with access to even more subordinate Soldiers. Had the reporting party not been misled (whether intentionally or unintentionally) by the Army's Lead Special Trial Counsel about his desire to retire and initiated a DoDIG investigation before he was up for Congressional confirmation, it is possible that confirmation may have been held up for completion of a Congressional-initiated investigation into him.<sup>25</sup>

The above-referenced inquiry that, from all that is known, did not become any sort of larger investigation, is only one of many wherein it is evident that the IG, *and its legal advisors*, cannot be trusted to police the plethora of ways misconduct is committed within the US military. The Army's Lead Special Trial Counsel IG inquiry lends itself to the separate, but related issue of the propriety of any attorney (whether military or civilian) affiliated with any of the JAG Corps participating as legal advisors on IG investigations, particularly when the subject of the investigation is themselves affiliated with one of the JAG Corps. However, this concern extends to even less transparent conflicts between the JAG Corps' personnel and others who could be involved in the rating of such personnel and who are involved in IG investigations. The former point is especially supported to the extent one or more of the questions posed to the

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<sup>24</sup> A copy of the reporting party's FOIA request and the IG's response to same can be found at **Appendix 5** and **Appendix 6**, respectively. The reporting party was never informed by the IG investigator that she could request the investigation copy via email. Rather, she was only advised to request it by mail. The reporting party, as a former Army JAG, had to refresh her memory regarding the applicable regulation to confirm she could more expeditiously submit her FOIA request. The reporting party was required to review the applicable regulation to confirm the address to which she could email her FOIA request.

<sup>25</sup> Office of the Deputy Inspector General for Administrative Investigations, Administrative Investigations Manual, September 23, 2022, p. 6. ("1.3.1.2 DoD Instruction (DoDI) 1320.04. ISO is also responsible for performing checks of its investigative files under DoDI 1320.04, "Military Officer Actions Requiring Presidential, Secretary of Defense, or Under Secretary of Defense for Personnel and Readiness Approval or Senate Confirmation," January 3, 2014 (Incorporating Change 1, June 30, 2020). Under DoDI 1320.04, ISO checks its investigative files for adverse information relating to those military officers who have been nominated for personnel actions requiring the approval of the Secretary of Defense and the President, or confirmation of the Senate).

reporting party, which appeared intended to rationalize what the reporting party experienced as the Army Lead Trial Counsel's emotional and psychological abuse of her, were fashioned or endorsed by a JAG Corps legal advisor on the case. The Army's Lead Special Trial Counsel inquiry has particular relevance to the IG's involvement in identifying and taking appropriate referral action on misconduct for more than one reason, two of which are directly tied to the Army's Lead Special Trial Counsel's views memorialized in an email when he was supervising approximately twenty Trial Defense Counsel in his position as a Regional Defense Counsel:

3. The sexual-assault ridiculousness continues. Commander of US Forces Japan relieved for allegedly failing to properly investigate SA allegations. Link: <http://www.defense.gov/releases/release.aspx?releaseid=16083> Expect no commander to be able to make objective decisions involving SA allegations as long [sic] Congress and our political masters are dancing by the fire of misleading statistics and one-sided, repetitive misinformation by those with an agenda.

Hopefully a Soldier<sup>26</sup> will be able to get a fair trial. You and your teams are now the ONLY line of defense against false allegations and sobriety regret. You literally are the personal defenders of those no one will now defend, even when all signs indicate innocence.<sup>27</sup>

The first reason is that an individual's right to appeal the results of an IG inquiry or investigation is, for all intent and purpose, non-existent.<sup>28</sup> This means that if an IG inquiry or investigation is haphazard, or results in findings inconsistent with the weight of the evidence, there is little recourse for the reporting party and little to no protection of other individuals and the larger system they may be seeking to protect from harm. The second reason the Army's Special Lead Trial Counsel IG inquiry is a prime example of the much-needed creation of an independent administrative investigatory body is because the IG is currently one of the channels for the reporting and (preliminary) investigation of (issues related to) sexual assault and other serious crimes – to include suicides related to those crimes. The IG having expressed no concern about the Army's Special Trial Counsel's comments on sexual assault (when he was the Great Plains Regional Defense Counsel) in its case closure letter to the reporting party, how can the Army and DoD IGs genuinely be trusted to properly investigate or report to law enforcement any complaints involving sexual assault and other related offenses that may initially come through their door? This same concern extends to suicides related to sexual violence.

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<sup>26</sup> One of many relevant questions for the Army's Lead Special Trial Counsel is whether he considers Army Service Member victims of sexual assault to be Soldiers and, if so "Just as much as named Army Service Member defendants?"

<sup>27</sup> The Army's Lead Special Trial Counsel's (when he was the Great Plains Regional Defense Counsel) June 12, 2013, email to his five male Senior Trial Defense Counsel, for dissemination to the remaining Great Plains Region TDS trial defense counsel. **See Appendix 7.**

<sup>28</sup> Any rights a reporting party has to challenge or otherwise appeal a substandard and/or substantively adverse IG investigation was not information included in the Army IG inquiry closure letter emailed to the reporting party of the Army's Lead Trial Counsel inquiry.

An entirely independent administrative investigation into the Army's Special Lead Trial Counsel would likely have included consideration of the fact that he was last in charge of the Army JAG Corps Plans, Personnel & Training Office (PP&TO), where he would have very likely been involved in decisions surrounding, among other assignments, the assignment of the current Chief of the Army Court of Criminal Appeals, as well other judges sitting on that Court, prosecutors and trial defense counsel. Just how deep the notion of "false allegations" and "sobriety regret" run throughout the Army JAG Corps, especially in key positions, is itself an especially appropriate subject for investigation by a bona fide independent administrative investigatory body. It highlights the consistent refrain from a number of sources, both inside and outside of the military, that the "police cannot police themselves."<sup>30</sup> It is the authors' position that this concern extends to the Army JAG Corps in the realm of investigating, prosecuting and defending sexual assault. It is the authors' position that the Army's Lead Special Trial Counsel's documented comments on sexual assaults in the military call into question the legitimacy of at least the Army Office of Special Trial Counsel's leadership and any advice that Office has thus far rendered on cases brought to it, even before full authority has been transferred to it – respectively, whether or not the Army's Lead Special Trial Counsel has some kind of an explanation for any purported changed view as compared to what is reflected in his documented comments and, quite frankly, what is revealed by his conduct toward the reporting party, if not also other individuals (to include any impacted by his conduct disclosed in the Twitter posts).

Incredibly important to the suicide crisis among active duty and Reserve Service Members, and Veterans, an administrative investigatory body entirely independent of command and, to the extent possible, other improper influences would afford a trusted avenue of support at the outset; What happened to the struggling reporting party in the Army's Lead Special Trial Counsel inquiry, where suicide prevention and general mental health resources were not offered until further along into the inquiry and not until the reporting party expressly informed the IO that she had fleeting thoughts of suicide in a case obviously involving documented trauma, would be less likely to occur with a truly independent investigator who would not be restricted in connecting the reporting party with resources out of a concern for how such efforts could reflect on the IO's perception of the merits of the reporting party's complaint. It would also cut out middle people, like the Army's Deputy Staff Judge Advocate, who would have been conflicted in extending any support to the reporting party, especially because of his role and the Army's Lead Special Trial Counsel's role in the Army JAG Corps. If reporting parties could have full faith and confidence in inquiries and investigations, they would not feel compelled to seek assistance and redress from sources that cannot and will not give it to them.

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<sup>30</sup> See, e.g., Jacqueline Garrick's (Whistleblowers of America) work, to include recent presentation entitled "What's Wrong with the OIG?"; Garrick, J. July 2017. Notes from the Field: Peer Support for Whistleblowers. *Federal Practitioner*. Pp. 38-41.

Committed to providing possible policy solutions to the deeply concerning issues they have identified, the authors offer the following preliminary key elements any entirely independent investigatory body would require:

1. Zero subordination of the investigatory body to any Department of Defense influence;
2. Professional investigators who are trained to a standard commensurate to their criminal investigation counterparts, both at the outset of their employment and annually;
3. Mandated timelines for investigation processing and completion;
4. With due regard for privacy and fidelity, mandatory and timely transparency, especially with regard to investigatory results.

The authors provide the following, additional position given the DAC-IPADs reporting obligations and access to the Secretary of Defense. Until a permanent, independent administrative investigatory body, staffed with seasoned, unaffiliated professionals with no “skin in the game” – other than a desire and ability to competently conduct fair and impartial investigations – is stood up, an interim investigative office assigned to conduct independent administrative investigations needs to be established. On account of pending Senate confirmations for over 400 general officers, it is recommended that such an independent investigatory office focus its immediate efforts on identifying, conducting and completing any active inquiries and investigations into those officers’ pending confirmations (ensuring no such inquiries and investigations are brushed under the rug) - with the understanding that confirmations be held in abeyance until any such inquiries and investigations are completed.<sup>31</sup> The authors go so far as to recommend that each of those officers pending confirmation to any level of General Officer be the subject of ten-year background checks, despite (and because of) the likely event those officers have active secret security clearances. In light of comments and concerns related to the potential use of the US military against its own civilian populace,<sup>32</sup> questions surrounding who our senior military leaders are and what, if any, known threats and liabilities they pose for our nation’s national security cannot be left to chance.

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<sup>31</sup> Recent comments by the Secretary of Army regarding the adverse impact of general officer promotions in the face of the Tuberville hold up are relevant here. Respectfully, commonsense dictates that the probability of any officer pending confirmation to a general officer rank deciding to leave the service on account of having to wait for promotion is likely not high. Similarly, any general officer deciding to leave the service as they await the results of an investigation to be competently completed is slim. And, for any such officer making that choice, it is likely better for the military anyway. The current stay of general officer promotions creates an optimal time to ensure each of these officers has been properly vetted.

<sup>32</sup> Walter, Barbara. 2022. *How Civil Wars Start and How to Stop Them*. Penguin Random House. p. 138.



### **Ryan Sweazey, MBA, LTC, USAF (ret.)**

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

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

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



## Thread



**The Judge** @Taser\_Judge · Nov 25, 2022



Congress mandates the Army pick a seasoned prosecutor to be a one star lead special trial counsel. This person works directly for @SecArmy and leads the Army's special trial counsel to try specified offenses, including sex assault and domestic violence. 1/



5



13



64



**The Judge**  
@Taser\_Judge



So instead of picking one of several hard hitting, extremely well qualified colonels, @SecArmy and the board nominate a former Corps SJA and chief of PPTO with a limited history of prosecution time and a history of being a shit leader who has (admittedly anecdotally) 2/

3:09 PM · Nov 25, 2022

1 Retweet 26 Likes



**The Judge** @Taser\_Judge · Nov 25, 2022



Replying to @Taser\_Judge

Counseled women against going to Army schools and made remarks questioning dual military families, working spouses, and in-service parenthood. 3/



2



1



25



**The Judge** @Taser\_Judge · Nov 25, 2022



A guy who leads the personnel shop and in that role lies in the face of obvious evidence and claims the JAGC does not have a retention crisis, even as captains and majors make for the exits in record numbers and the number of LTCs counting to 20 years and 0 days rises. 4/



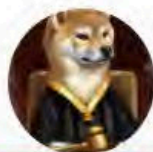
1



1



26



**The Judge** @Taser\_Judge · Nov 25, 2022



Solid move, Army.





## Thread

Not really. Way to make the wrong choice. Again. [#peoplefirst](#)  
[#notreallythough](#)

5/5



2



30



**Duuvaaal Til We Die #IWATJ** @NolesJags78 · Nov 25, 2022



Replying to [@Taser\\_Judge](#) and [@SecArmy](#)

Any who served would expect nothing less from the Army



**Army Mud Puppy** @ArmyMudPuppy · Nov 25, 2022



Replying to [@Taser\\_Judge](#) and [@SecArmy](#)

Surprised they didn't hire Brig. Gen. Mark Martins.



1



5



**John Harwood** @JohnHar21539581 · Nov 25, 2022



Replying to [@Taser\\_Judge](#) and [@SecArmy](#)

Makes perfect sense. If the whole point is to show Congress that their solution to fix the sexual assault issue is a spectacular failure.



2



6





Barb Snow &lt;barbsnowlegal@gmail.com&gt;

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## Request Clarification

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[REDACTED] >  
To: Barb Snow <barbsnowlegal@gmail.com>

Mon, Apr 24, 2023 at 7:07 AM

Good morning Ms. Snow,

Thank you for the information. Upon further review of your January 17, 2023 letter to MG Joseph B. Berger, you stated, *BG Wells "victimized" and "manipulated at least one person to prevent her from coming forward with information about gender discrimination at his hands (itself a form of abuse)."*

Please clarify:

The name and position of the person he victimized and manipulated?

How did he victimize and manipulate this person?

When did this occur?

How do you know about the matter?

[REDACTED]

Investigator

Department of the Army

Inspector General Agency

[REDACTED]

Controlled by: The Inspector General of the Army (SAIG)

Controlled by: SAIG-IN (Investigations Division)

CUI Categories: PRIIG, PRVCY, OPSEC, PERS, MIL, WHSTL



Limited Dissemination Control: FEDCON



CUI

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CUI



## DAIG Findings - DIG 23-20035

USARMY Pentagon HQDA OTIG Mailbox SAIG IN Office [REDACTED]  
[REDACTED]

Tue, Aug 1, 2023 at  
3:55 PM

Good Evening Ms. Snow,

We've completed our review of your allegation against BG Wells. Our findings are attached.

Investigations Division (SAIG-IN)

US Army Inspector General Agency

Pentagon, Room 1E115A

1700 Army Pentagon

Washington, DC 20310-1700

Controlled by: The Inspector General of the Army (SAIG-ZA)

Controlled by: Investigations Division (SAIG-IN)

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Distribution/Dissemination Controls: FEDCON

POC: SAIG-IN, [REDACTED]

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Snow Paper2\_Appendix4\_Part1



**Ms. Snow Closure Letter (DIG 23-20035).pdf**  
260K

Snow Paper2\_Appendix4\_Part1



**DEPARTMENT OF THE ARMY**  
**US ARMY INSPECTOR GENERAL AGENCY**  
**1700 ARMY PENTAGON**  
**WASHINGTON DC 20310-1700**

August 1, 2023

Investigations Division

Ms. Barbara A. Snow, Esq.



Dear Ms. Snow:

The United States Army Inspector General Agency completed our inquiry into your allegations against Brigadier General (BG) Warren Wells, Lead Special Trial Counsel, Office of Special Trial Counsel, U.S. Army, Washington, DC, and former Regional Defense Counsel, Fort Leavenworth, KS.

We thoroughly evaluated your allegation that BG Wells engaged in misconduct constituting abuse of authority, mistreatment, gender discrimination, and sexual harassment. The preponderance of credible evidence showed no misconduct by BG Wells. We therefore closed your complaint.

The Inspector General, Department of Defense, who has oversight of senior official investigations, reviewed the evidence and approved our recommendation to administratively close file DIG 23-20035 without further investigation.

Sincerely,

A handwritten signature in blue ink, reading "John R. Peloquin", is positioned above the printed name and title.

John R. Peloquin  
Deputy Chief, Investigations Division



Request for

2 messages

Records Personnel:

Thank you for processing the attached request as expeditiously as possible. Consistent with the applicable provisions of AR 20-1, chapter 3, I understand I can submit this request via email.

Please confirm receipt of this email. Thank you very much.

Sincerely,

Barb

Barb Snow, Esq.  
Snow Criminal Defense, LLC



CONFIDENTIALITY NOTICE  
This e-mail transmission, and any documents, files or previous e-mail messages attached to it may contain information that is confidential or legally privileged. If you are not the intended recipient, or a person responsible for delivering it to the intended recipient, you are hereby notified that you must not read this transmission and that any disclosure, copying, printing, distribution or use of any of the information contained in or attached to this transmission is STRICTLY PROHIBITED. If you have received this transmission in error, please immediately notify the sender by telephone or return e-mail and delete the original transmission and its attachments without reading or saving in any manner. Thank you.

Snow - FOIA Requestfinpdf.pdf  
825K

Wed, Aug 30, 2023 at 9:28 AM

Ms. Snow,

I forwarded your request to our FOIA office. Please direct all future inquiries regarding your request to their email address at [usarmy.pentagon.hqda-otig.mbx.saig-zxl@army.mil](mailto:usarmy.pentagon.hqda-otig.mbx.saig-zxl@army.mil)

Thank you,

Investigator  
Department of the Army  
Inspector General Agency

Controlled by: The Inspector General of the Army (SAIG)  
Controlled by: SAIG-IN (Investigations Division)  
CUI Categories: PRIIG, PRVCY, OPSEC, PERS, MIL, WHSTL  
Limited Dissemination Control: FEDCON

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CUI





**Barbara A. Snow, Esq.\***

[www.snowcriminaldefense.com](http://www.snowcriminaldefense.com) (Website)

\*Licensed to Practice in CT and CO

August 29, 2023

Office of the Inspector General  
Attn: Records Release Office (SAIG-ZXR)  
1700 Army Pentagon  
Washington, DC 20310-1700

Re: DIG 23-00035\*

Dear Records Release Office Personnel:

Please accept this correspondence as my request for prompt provision of a copy of any and all documents and any and all information (in whatever form, to include audio), to include transcripts of all interviews conducted, in the identified DIG case file 23-00035. (\*Please note, the case file number provided to me by Colonel Elizabeth Smith of the Army IG's office was 23-20035). This request is made pursuant to 5 U.S.C. Section 552 (Freedom of Information Act), and in accordance with Army Regulation 20-1 (Inspector General Activities and Procedures), chapter 3.

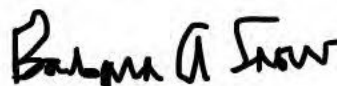
This request is to be construed as liberally as possible, specifically as a request from the complaining party, making any of the potential, narrowly construed FOIA exemptions less likely than perhaps under other requestor circumstances.

Consistent with AR 25-55, I express my willingness to pay applicable fees. Please, however, advise of any estimated fees associated with this request prior to filling it. I respectfully

request provision of all requested copies of documents and information via email where at all possible.

Thank you.

Sincerely,

A handwritten signature in black ink, appearing to read "Barbara A. Snow". The signature is written in a cursive, flowing style.

Barbara A. Snow



## FOIA Acknowledgement 23-659

MESSAGE

USARMY Pentagon HQDA OTIG Mailbox SAIG ZXL [REDACTED]

Wed, Aug 30, 2023 at 8:46 AM

To: [REDACTED]

Dear Ms. Snow:

This is an interim response to your Freedom of Information Act (FOIA) request received on August 29, 2023, seeking Army Inspector General records.

The Army IG Records Release Office receives a large volume of FOIA requests and cannot always respond to requests as quickly as we would like. Accordingly, we make it our practice to respond to FOIA request in the order received. The approximate date of completion on your request is August 29, 2024 or it could take longer. The actual processing time will depend upon the number of prior requests, as well as the complexity and volume of documents to be reviewed for each request received before yours.

You may seek dispute resolution services from the Army FOIA Public Liaison or the Office of Government Information Services (OGIS). The Army FOIA Public Liaison may be contacted at [REDACTED] or by e-mail at [REDACTED]. Contact information for OGIS is at [REDACTED].

If you have any questions, please feel free to contact this office via email [REDACTED]. Should you contact our office, be sure to provide the FOIA number 23-659 that we have assigned to your request.

Respectfully,

DAIG, Legal / Records Release Office  
ATTN: SAIG-ZXR, (Records Release)  
1700 Army Pentagon, Room 1E132  
Washington, DC 20310-1700

## Snow Paper2\_Appendix6

----- Forwarded Message -----

From: [REDACTED]

To: [REDACTED]

Sent: Monday, July 1, 2013 at 12:03:06 PM MDT

Subject: FW: form 3.3 (UNCLASSIFIED)

-----Original Message-----

From: [REDACTED]

Sent: Monday, July 01, 2013 12:39 PM

To: [REDACTED]

Subject: form 3.3 (UNCLASSIFIED)

Importance: High

Classification: UNCLASSIFIED

Caveats: NONE

Found it!

[REDACTED]  
MAJ, JA

Senior Defense Counsel

Fort Riley Field Office  
[REDACTED]

ATTORNEY CONFIDENTIALITY NOTICE-FOR OFFICIAL USE ONLY. The information contained in this e-mail and any accompanying attachments may constitute attorney work product and/or client advice, which are legally privileged. If you are not the intended recipient please notify me immediately by return e-mail or by calling [REDACTED].

-----Original Message-----

From: [REDACTED]

Sent: Wednesday, June 12, 2013 2:17 PM

To: [REDACTED]

Subject: Wednesday tidbits (UNCLASSIFIED)

Importance: High

Classification: UNCLASSIFIED

Caveats: NONE

Great Plains SDCs - A few tidbits, one with an IMMEDIATE suspense.

1. S: IMMEDIATE. Per order of SECARMY and the Commander, USALSA, leaders (including TDS SDCs) are to conduct immediate inspections of their field offices for any publicly displayed sexually explicit material or other



offensive or degrading material. E.g. - No centerfolds pinned up or nasty screensavers. Ohio State and Texas A&M paraphernalia, while offensive, are not

covered in the order. Attached are the two memos ordering this done and an inspection form which you must SIGN. Reports must be submitted to me by either 1600, or to the XO of USATDS by noon tomorrow

[REDACTED]. If you don't get it to me by 1600 today, send

to [REDACTED]. Sorry folks, BG Ayers signed his memo yesterday, and the tasker hit my inbox about 20 minutes ago.

2. The Chief, USTDS, has directed that we use a new post-trial and appellate rights form, DCAP Form 3.3 beginning 1 July 2013. If the sentence in a case is announced on or before 30 June 2013, use DCAP Form 3.2. If sentence is announced on or after 1 July 2013, use DCAP Form 3.3.

Attached is the new DCAP Form 3.3 and a DCAP Sends explaining the differences between DCAP Forms 3.2 and 3.3.

3. The sexual-assault ridiculousness continues. Commander of US Forces Japan

relieved for allegedly failing to properly investigate SA allegations.

Link:

<http://www.defense.gov/releases/release.aspx?releaseid=16083> Expect no commander to be able to make objective decisions involving SA allegations as

long Congress and our political masters are dancing by the fire of misleading statistics and one-sided, repetitive misinformation by those with an agenda.

Hopefully a Soldier will be able to get a fair trial. You and your teams are now the ONLY line of defense against false allegations and sobriety regret. You literally are the personal defenders of those no one will now defend, even when all signs indicate innocence.

4. I am on leave tomorrow and Friday, but can be reached by BB if something

arises. Next week I'll be at SATAC in Charlottesville. I'll be able to check email at the end of the day, but won't be readily available.

5. During my leave, from 1-15 July, [REDACTED] will be the acting RDC. His BB number is [REDACTED].

Folks, keep up your great work. The job you do is vitally important to the lives of those you lead and the Soldiers we serve.

[REDACTED]

[REDACTED]

LTC, JA  
Regional Defense Counsel

Great Plains Region  
US Army Trial Defense Service  
632 McClellan Avenue  
Fort Leavenworth, KS 66027



Classification: UNCLASSIFIED  
Caveats: NONE

Classification: UNCLASSIFIED  
Caveats: NONE

## THE DAC-IPAD'S MANDATE IMPLICATES THE WOMEN, PEACE & SECURITY FRAMEWORK

November 28, 2023  
Barbara A. Snow, Esq.

The author, a U.S. Army Veteran and currently a criminal defense attorney pursuing an ALM in Government, has firsthand experience of certain of the obstacles facing women as they seek to safely serve in the United States military. The author is particularly compelled to offer information and argument about the need for the full protection and participation of women Service Members in the U.S. military, particularly after having received instruction on the broader topic of Women, Peace and Security (WPS) from Dr. Joan Johnson-Freese, an expert in both National Security and WPS.

In truth, the WPS framework, envisioned by the United Nations Security Council's Resolution 1325, adopted in 2000, and codified into federal law in the United States in 2017, is a framework that is relevant to all aspects of society. After all, women comprise (a little more than) 50% of the US population.<sup>1</sup> Included in the United States' Department of Defense's (DoD's) efforts to reduce, if not eliminate sexual assault and other violence against Service Members, of which women are included, is the inherent recognition that women Service Members are invaluable assets to the U.S. military who, like their male counterparts, are deserving of dignity – of which safety is an element. As the DAC-IPAD is keenly aware, a lot of work remains to be done to appropriately respond to the thousands of American Service Members (men and women) who *report* sexual assault each year<sup>2</sup> – recognizing more Service Members could be willing to come forward and, ultimately, fewer assaults would occur so as to then need to be reported with the right changes.

The DAC-IPAD's mandate to oversee the implementation of the recent changes in the law pertaining to sexual assault investigation, prosecution, and the defense of same, likewise carries with it the inherent understanding that women are as instrumental to the U.S. military's national security mission, as instrumental to the proper leadership of subordinate Service Members as are their male counterparts. However, a fundamental, contributing factor of violence against women Service Members, in its various forms, by certain of their fellow male Service Members is the disconnect between policies appreciating the critical need for women to serve in the U.S. military and the ignorance of and/or refusal to accept this established fact by certain military leaders and subordinates.

As explained below, absent leadership and decision-making by men *and* women at the highest levels of leadership – to include in the Offices of Special Trial Counsel (OSTC) – the DoD and DAC-IPAD can reasonably expect unnecessary and artificial limitations placed on the

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<sup>1</sup> <https://www.statista.com/statistics/737923/us-population-by-gender/> (As of 2010, there were approximately 5.17 million more women in the United States than men).

<sup>2</sup> One report indicates that 35,000 U.S. Service Members reported sexual assault in at least one of its various forms in 2021. See Mongilio, H., Sept. 1, 2022. *Latest Military Sexual Assault Report Shows 'Tragic' Rise in Cases, Pentagon Officials Say*. USNI News.

progress those Offices could otherwise make in successfully prosecuting sexual assault – which necessarily includes appropriate, trauma-informed interactions between prosecutors (and other OSTC personnel) and victims.

Educating all DoD personnel regarding the importance of the WPS framework, so that women’s integral and safe participation in all areas and roles of warfighting right next to male Service Members becomes the cultural norm - in place of the current norm of violence against women at all echelons, is imperative. It is through this education and actual, consistent implementation of the Women, Peace and Security Act of 2017 throughout the Department of Defense,<sup>34</sup> that the DoD, the DAC-IPAD and all other stakeholders can hope for marked deterrence in sexual assaults, in lieu of the current need for justice. This same education, and most relevant to the DAC-IPAD’s oversight, of (1) the Lead Special Trial Counsel, (2) the prosecutors assigned to the OSTC and all (3) other OSTC personnel *on the WPS framework and the critical need for its implementation* is a must.

### **The WPS Framework**

Women, Peace and Security rests specifically on four overarching pillars:

1. Participation
2. Conflict prevention
3. Protection
4. Relief and recovery<sup>5</sup>

The use of even just some WPS pillars has resulted in increased stabilization and peace.<sup>6</sup> When all four pillars of WPS have been utilized, the positive impact on stability and positive peace has been even greater.<sup>7</sup> A good example of this increased security due to the full participation of women, prevention of violence against women, protection of women and girls from sexual and gender-based violence; and, appropriate gender-based responses to crises is Liberia, during conflict and post-conflict peacebuilding and maintenance efforts.<sup>8</sup> Liberian women joined in an intersectional alliance, placing the peace and stability of their country above religious differences. The result was a safer country, under better governance that included a president elected by the people in a democratic process.<sup>9</sup>

---

<sup>3</sup> The National Defense Authorization Act of 2021 provides specific provision for funding Women, Peace & Security Act objectives.

<sup>4</sup> This author’s discussions with an Army Social Science Advisor and others employed in different positions in the DoD revealed that WPS training throughout the DoD is perfunctory and not consistently mandatory, and that implementation of other aspects of WPS are lacking if not non-existent throughout the DoD.

<sup>5</sup> United Nations (UN) Proposition 1325 (2000); Women, Peace & Security Act of 2017.

<sup>6</sup> Hudson, Valerie M., Donna Lee Bowen, and Perpetua Lynne Nielsen. *The First Political Order: How Sex Shapes Governance and National Security Worldwide*. New York. 2020; Johnson-Freese, Joan. 2019. *Women, Peace and Security: An Introduction*. New York. Routledge.

<sup>7</sup> Id.

<sup>8</sup> Reticker, Gini. *Pray the Devil Back to Hell* [film]. 2008. Fork Films.

<sup>9</sup> Id; Johnson-Freese, Joan. 2019. *Women, Peace and Security: An Introduction*. New York. Routledge.



The efficacy of the WPS framework is perhaps more compellingly revealed by considering the current status quo throughout the world, where women are largely excluded from decision-making and governance. This exclusion is at the core of patriarchy, which has qualitatively and quantitatively been shown markedly defective in establishing reliable short-term, and certainly long-term peace and security for both women and all but a few self-selected men.<sup>10</sup>

Social Science researchers and academics have exhaustingly studied the adverse impacts of what they refer to as the “Patrilineal/Fraternal Syndrome,” whereby male kinship is the primary security provision mechanism that subordinates women beginning from the marital relationship through the rest of the governance hierarchies.<sup>11</sup> Their work demonstrates that the linkage of women’s fates to men (as opposed to women having equal agency to choose for and actively protect themselves, as do the men) is a hallmark of this Syndrome.

Therein lies the fundamental dilemma for women safely serving next to their male counterparts in the U.S. military – the governance of the military, particularly at the highest levels, is primarily (and, in a number of instances, *solely*) in the hands of men. In conjunction with concerns about the proper vetting of the current heads of the OSTC offices,<sup>12</sup> there is an equally pressing concern that no women are heading any of those offices. This begs the question of, “How is re-creation of the very patriarchal structure that, whether intentionally or unintentionally, supports the status quo of violence against women in the U.S. military *within the very OSTC offices* charged with, among other things, objectives directed at protecting women Service Members conducive to favorable long-term safety results for women serving in the U.S. Armed Forces?” Similarly, and admittedly a bolder question, “How will re-entrenchment within the OSTC offices of at least aspects of the very structure that necessitated separation of the command from the prosecution of sexual assaults (and related offenses) pave the way for real, positive change?”<sup>13</sup> At least one, more short-term question is, “How do the OSTC offices as currently constituted plan on facilitating decision-making that not only benefits from, but requires the voices of women?” At the risk of stating the obvious, it is not realistic for the current male heads of the respective OSTC offices to be equipped to fashion all necessary policies without input from women – and women with decision-making authority. While the Secretary of the Army, the individual who participated in the selection of these OSTC office heads, is currently a woman, she is not physically situated within any of the OSTC offices, and she is not charged with running the day-to-day operations of those offices.

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<sup>10</sup> Hudson, Valerie M., Donna Lee Bowen, and Perpetua Lynne Nielsen. *The First Political Order: How Sex Shapes Governance and National Security Worldwide*. New York. 2020.

<sup>11</sup> Id.

<sup>12</sup> The proper vetting of the OSTC heads will be a subject of this author’s public comments to the DAC-IPAD at its December 6, 2023 meeting.

<sup>13</sup> As an outsider looking in, this author analogizes the current male head leadership in every one of the several OSTC as akin to an all-white-male panel on issues impacting groups of which those panel participants are not members. This author’s response to the all-male (and white) composition of the heads of the OSTC is consistent with the responses of other members of the public.

At its September 19, 2023 meeting, a DAC-IPAD committee member specifically asked each of the Lead Special Trial Counsel the following question:

This is Meghan Tokash. I just wanted to follow up for each of the Services to tell us a little bit about the demographics, including experience, of the workforce that you have selected to serve as Special Trial Counsel.

And then my follow-on question is, also, with respect to large criminal jurisdictions . . .

For example, a criminal jurisdiction as large as that [Fort Cavazos], if there are only two or three Special Trial Counsel, how is that or will that work practically within each of the Services?

9/19/2023 Transcript, pp. 63-64.

The nature of the Army's Lead Special Trial Counsel, in terms of *demographics* (i.e., gender, race, ethnicity, marital status) is reflected in the following of a lengthier response:

With regard to experience - - I apologize. I don't have a matrix that shows all the experience, both civilian and military justice experience, of each of our counsel and various courses they've gone to.

9/19/2023 Transcript, p. 66.<sup>14</sup>

In a similar vein, another pointed question by a DAC-IPAD committee member was directed to each of the Lead Special Trial Counsel:

I do have a question. This is Jennifer Long. So you all have very, very impressive biographies and obviously are very elite. And just I think these last responses though make me want to hear from you what either experiences you have had and training or what you think you need to do to manage. And I understand there are other coverage topics besides domestic violence and sexual violence, but I think experience over time - - there are many very experienced litigators who don't necessarily have the experience to manage units that handle these crimes because they can be minimized and they can be misunderstood.

So I wanted to hear what in your backgrounds has made you the right people, I guess, to manage the OSTCs that are coming and to be able to help guide them, make these decisions so that you're determining sufficiency of evidence and you're not doing it with an eye towards maybe taking a mix of things that may not be understood when you don't have experience.

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<sup>14</sup> The full testimony of this exchange is at **Appendix 1** (pp. 63–66 of the 9/19/2023 transcript).

The Army's Lead Special Trial Counsel's answer to this question was as follows:

So I'm going to talk organizational. At least one of the things here to become certified is a certain amount. So right now the only, who within four weeks of certification training, two of which I think some members of this organization came to week one. We followed over to week two. Right now at the Advocacy Center at Fort Belvoir we're having - - we're at week four right now. Last week was three. So we bifurcated that.

But we're also requiring as - training guidance that I put out for the Army is each special trial counsel will attend a prosecuting domestic violence course. It's a week-long course. Military Institute for Prosecuting Sexual Violence Course, which is really looking at sexual assault. And the third course is child abuse course.

So in each of those we bring in experts, sometimes doctors, nurse practitioners, attorneys who specialize in those cases, and members of our own team who have worked in that area. And we look at victim perspectives. We look at counterintuitive behavior. We look at all of those things. So that's three weeks of training.

We're going to apply that within the first two years. Because, of course four weeks plus - - I mean, at some point you've got to be in the courtroom, too. But within the first two years they're supposed to hit all of those. Years ago when I was younger I would get some analogous cases. I attended all three of those courses in the spring. And so we'll run those courses once or twice a year.

And then I also am requiring somebody to get some type of non-DoD training course as well. And so organizationally I think that helps, because you're right, you could have plenty of litigation experience doing bad checks,, although I don't know how many people do checks anymore, but - -

(Laughter.)

Some drug offenses. But you're right, *there's a special care for special victim cases*. And so that's what those cases are trying to do.

And we also in the selection process - - we don't have an interview process, but we have a networking during the selection process. We have input. And those

who've done special victim cases before are *looking out for those who have the temperament, the empathy to be able to do those types of cases.*<sup>15,16</sup>

9/19/2023 Transcript, pp. 99-102.<sup>17</sup> (emphasis added).

The Army's Lead Special Trial Counsel's responses to the Committee's questions leave open several, very specific questions, to include, "How many women, and in what positions, are serving in both the main Army OSTC office and in its field offices worldwide?"; "Are married women and women with children being afforded these Special Trial Counsel *and* Chief Special Trial Counsel positions?" Similarly, the Army's Lead Special Trial Counsel's answer leaves open the question of whether he has special victim experience and, if so, "What is it – beyond his attendance at the three trainings his office has held this last year and 'analogous cases' he had when he was much younger? "Did and do any of those OSTC trainings include input from any sexual assault victims?" "Have any women been involved in the trainings provided and, if so, in what capacity?" The relevance of the questions related to women's participation in the Army's (and all of the other branch's) OSTC mission is multi-fold, beginning with the fact that research shows that women oftentimes have intelligence on local issues impacting others they obtain by inquiring of those not within decision-making circles. A problem arises, however, when women are excluded from actual decision-making; The valuable information they have about local conditions is either never captured for consideration; if brought to decision-makers attention, not actually included in decision-making; or, even if included in decision-making, not included in ways most beneficial to those affected because the context of the information is missed.<sup>18</sup>

WPS is also relevant to the operation of the OSTC because, statistically, more special victims seeking justice through those offices for sexual assault will be women, not men.<sup>19</sup> The ability of any woman prosecutor or other woman OSTC member (e.g., paralegal, legal administrator) who herself has been the victim of interpersonal or domestic violence to more readily relate to a woman special victim because of lived experience is a connection the value of which should not be dismissed but rather facilitated where appropriate.<sup>20</sup>

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<sup>15</sup> This stated process for selecting is concerning in light of the recurring phenomenon at least one Army Social Science Advisor has told the author, which the author herself experienced when serving in the Army, and specifically under the Army's Lead Special Trial Counsel: The power in the system has worked for the men, and "like supports and promotes like."

<sup>16</sup> This statement is alarming to the author based on the circumstances, aspects of which are set forth in the authors' two other papers submitted for the December 6, 2023 meeting, and a statement this author may address during her public comments.

<sup>17</sup> September 19, 2023 DAC-IPAD meeting transcript, pp. 99-102. **Appendix 2.**

<sup>18</sup> Hudson, Valerie M., Donna Lee Bowen, and Perpetua Lynne Nielsen. ***The First Political Order: How Sex Shapes Governance and National Security Worldwide.*** New York. 2020; Johnson-Freese, Joan. 2019. ***Women, Peace and Security: An Introduction.*** New York. Routledge. First Edition.

<sup>19</sup> See, e.g., Mongilio, H., Sept. 1, 2022. *Latest Military Sexual Assault Report Shows 'Tragic' Rise in Cases, Pentagon Officials Say.* USNI News.

<sup>20</sup> And the likelihood that this scenario could occur, and on a frequent basis, is higher than any of us would ever want it to be because of what it means about the prevalence of violence against women. See, e.g., de Becker, Gavin. 2021. ***The Gift of Fear: Survival Signals That Protect Us From Violence.*** New York. Little, Brown and Company. p. 72.

The OSTC and everyone (and, there are *many*) looking to them to effectuate meaningful change through professional and competent prosecution of special victim, of sexual assault cases are currently where they are, in terms of who is in charge of them. The need to ensure those Lead Special Trial Counsel and their personnel are meaningfully and consistently trained on and utilizing what they learn from the military's WPS modules and other WPS materials is critical. Particularly relevant to trials – whether before a jury or judge alone - factfinders are tasked with determining the credibility of witnesses, to include victims. The ability of prosecutors to effectively voir dire jury members on attitudes related to women serving in the military (a relevant area of inquiry, in truth, whether the victim is a woman Service Member or she is a civilian) would aid prosecutors in challenging jurors (and, quite frankly, any such judge) with improper if not constitutionally-impermissible gender (and other) biases impacting the fairness of the trial proceedings. Without an appreciation of WPS, the above type of effective advocacy will be missed, with the prospect of successful prosecutions unnecessarily compromised and an opportunity for the military legal community to lead the way in inculcating equal and safe treatment of women lost.

### **CONCLUSION**

As with the other topics addressed by this author in other papers related to the DAC-IPAD's work in overseeing the OSTC, the topic of the relevance of WPS to the DAC-IPAD's work touches upon other pressing concerns in the U.S. military right now – to include recruitment, retention and suicide. All three of these pressing concerns implicate the necessity of WPS; The full and safe participation of women in the US military will not only encourage women already serving to continue to serve, but their continued service will encourage other women to enlist or commission. Without fear of danger (because of, e.g., misogynistic attitudes, sexual harassment and bullying) and without the experience of harm (because of, e.g., gender discrimination, sexual harassment, sexual assault and domestic violence), women Service Members (and Veterans) would be less likely to commit suicide.<sup>21</sup> While DAC-IPAD has a specific mandate, it is a set of eyes for the DoD, for the Secretary of Defense, and in a space where a myriad of issues exist and need to be addressed. Employing WPS as one lens into how, and one avenue by which, sexual assaults can be successfully prosecuted, beginning with the full and safe participation of women prosecutors and other women legal personnel at all levels of decision-making in the OSTC, is not just a start, but quite possibly the long-term solution, and to more than just the U.S. military's sexual assault (and related offenses) crisis.

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<sup>21</sup> See, e.g., U.S. Department of Veteran Affairs. PTSD: National Center for PTSD. [https://ptsd.va.gov/understand/types/sexual\\_trauma\\_female.asp](https://ptsd.va.gov/understand/types/sexual_trauma_female.asp) ("Studies estimate that one in three women who are raped contemplate suicide, and about one in ten rape victims actually attempt suicide.")



1 attorneys, but also, we're going to in-house our  
2 own Special Agent, a forensic psychologist. We  
3 are going to civilianize paralegal positions and  
4 court reporters.

5 So what you know of at a district  
6 attorney's office or a U.S. attorney's office,  
7 that is our at least notional intent moving  
8 forward, is to have that in-house resources. And  
9 I don't think I need to tell this group, if you  
10 have that professionalized, civilianized  
11 infrastructure to support your blue-suiters that  
12 are in those three- to four-year tours and have  
13 that continuity, we believe right now we have the  
14 right number of personnel.

15 MS. TOKASH: This is Meghan Tokash.  
16 I just wanted to follow up for each of the  
17 Services to tell us a little bit about the  
18 demographics, including experience, of the  
19 workforce that you have selected to serve as  
20 Special Trial Counsel.

21 And then my follow-on question is,  
22 also, with respect to large criminal

1 jurisdictions, for example, Fort Hood, if --

2 (Simultaneous speaking.)

3 CDR GULLO: Fort Cavazos now.

4 MS. TOKASH: Oh. That's right. Thank  
5 you. Fort Cavasoz.

6 For example, a criminal jurisdiction  
7 as large as that, if there are only two or three  
8 Special Trial Counsel, how is that or will that  
9 work practically within each of the Services?

10 BGEN WELLS: So I'll start with large  
11 jurisdictions. Yes, I think Fort Cavazos, we  
12 have three attorneys assigned to the field  
13 office. Additionally, we've divided all of our  
14 field offices and organized them under eight  
15 circuits.

16 And so the circuit -- the Chief  
17 Special Trial Counsel for that circuit will be  
18 there and have an additional swing Special Trial  
19 Counsel that will be available throughout the  
20 circuit but will stay at Fort Cavazos -- so for a  
21 total of five, ultimately, there, but three in  
22 the field office.

1                   And they will handle all of the cases  
2                   that come forward. There are multiple GCMCAs  
3                   that are there at Fort Cavazos, and they will  
4                   work with all of those. I think each one will --  
5                   they'll probably have a primary intake, but the  
6                   field office OIC will adjust how the caseload  
7                   works between them.

8                   You asked about -- you know, one of  
9                   the things about the Army is we have prided  
10                  ourselves on being deployable and doing justice  
11                  when we deploy. This organization probably  
12                  wasn't built -- it was more built for a static  
13                  installation Army. And so, this summer, this  
14                  coming summer, we're going to be certifying  
15                  additional of the 20 reserve component officers  
16                  as Special Trial Counsel to give us the  
17                  flexibility.

18                  When you have units at Fort Cavazos  
19                  who, for example, go to Poland or elsewhere on  
20                  the frontiers of where conflicts are, we'll be  
21                  able to either send folks, Special Trial Counsel,  
22                  from Fort Cavazos forth or send those certified

1 reserves, or a mixture, and be able to back them.  
2 I think that -- hopefully, that addresses your  
3 large installations.

4 With regard to experience -- I  
5 apologize. I don't have a matrix, but I can get  
6 the organization -- we've got a matrix that shows  
7 all the experience, both civilian and military  
8 justice experience, of each of our counsel and  
9 various courses they've gone to.

10 Among our Chief Circuit Counsel, which  
11 are generally Lieutenant Colonels, they've all  
12 had multiple years of corporate, many of them  
13 both trial and defense side. Some of them have  
14 taught at U.S. Army Judge Advocate General's  
15 Legal Center and School on the faculty. Others  
16 have had some civilian time either during the  
17 break in the Army or prior to the Army.

18 So we feel like the Judge Advocate  
19 General has picked the best and the brightest and  
20 looked very closely at the experience in the  
21 assignment process.

22 RDML STEPHENS: With respect to the

1       this.

2                   So we're trying to instill with all of  
3       our junior attorneys the concept that if you're  
4       going to go on a case, you're going to go with  
5       the confidence that you can obtain a conviction  
6       that is going to be sustained on appeal court.

7                   MS. LONG: I do have a question. This  
8       is Jennifer Long. So you all have very, very  
9       impressive biographies and obviously are very  
10      elite. And just I think these last responses  
11      though make me want to hear from you what either  
12      experiences you have had and training or what you  
13      think you need to do to manage. And I understand  
14      there are other coverage topics besides domestic  
15      violence and sexual violence, but I think  
16      experience over time -- there are many very  
17      experienced litigators who don't necessarily have  
18      the experience to manage units that handle these  
19      crimes because they can be minimized and they can  
20      be misunderstood.

21                   So I wanted to hear what in your  
22      backgrounds has made you the right people, I



1       guess, to manage the OSTCs that are coming and to  
2       be able to help guide them, make these decisions  
3       so that you're determining sufficiency of  
4       evidence and you're not doing it with an eye  
5       towards maybe taking a mix or things that may not  
6       be understood when you don't have experience.

7                BGEN WELLS:  So I'm going to talk  
8       organizational.  At least one of the things here  
9       to become certified is a certain amount.  So  
10      right now the only,  who within four weeks of  
11      certification training, two of which -- I think  
12      some members of this organization came to week  
13      one.  We followed over to week two.  Right now at  
14      the Advocacy Center at Fort Belvoir we're having  
15      -- we're at week four right now.  Last week was  
16      three.  So we bifurcated that.

17               But we're also requiring as --  
18      training guidance that I put out for the Army is  
19      each special trial counsel will attend a  
20      prosecuting domestic violence course.  It's a  
21      week-long course.  Military Institute for  
22      Prosecuting Sexual Violence Course, which is

1 really looking at sexual assault. And the third  
2 course is child abuse course.

3 So in each one of those we bring in  
4 experts, sometimes doctors, nurse practitioners,  
5 attorneys who specialize in those cases, and  
6 members of our own team who have worked in that  
7 area. And we look at victim perspectives. We  
8 look at counterintuitive behavior. We look at  
9 all of those things. So that's three weeks of  
10 training.

11 We're going to apply that within the  
12 first two years. Because, of course four weeks  
13 plus -- I mean, at some point you've got to be in  
14 the courtroom, too. But within the first two  
15 years they're supposed to hit all of those.  
16 Years ago when I was younger I would get some  
17 analogous cases. I attended all three of those  
18 courses in the spring. And so we'll run those  
19 courses once or twice or year.

20 And then I also am requiring somebody  
21 get some type of non-DoD training course as well.  
22 And so organizationally I think that helps,

1 because you're right, you could have plenty of  
2 litigation experience doing bad checks, although  
3 I don't know how many people do checks anymore,  
4 but --

5 (Laughter.)

6 BGEN WELLS: Some drug offenses. But  
7 you're right, there's a special care for special  
8 victim cases. And so that's what those courses  
9 are trying to do.

10 And we also in the selection process  
11 -- we don't have an interview process, but we  
12 have a networking during the selection process.  
13 We have input. And those who've done special  
14 victim cases before are looking out for those who  
15 have the temperament, the empathy to be able to  
16 do those types of cases.

17 RDML STEPHENS: So in any case the  
18 training is very important, right? And so we too  
19 have a -- we had our certification course that we  
20 put everybody through which we combined  
21 components of those. We had kind of three:  
22 domestic violence, sexual assault, and child sex