

Command Group Investigation Request & Injunction Request

25th ID & US Army Hawaii

Mr. Fine

Investigation: Ref: #2639

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Department of Defense
Inspector General

Equal Opportunity complaint against the Division; for 6-months of violations of AR600-20 and for allowing his subordinate commanders to violate the same. Recommend a review of every EO case completed at 25th ID & Army for errors in the last 12-months.

Major Andrew J. Higgins

25th Infantry & US Army Hawaii

DOD IG and Appropriate CMCA

Allegations: 25th ID Command Group, OSJA, COL Brendon Raymond, and LTC Brian Hayes used protected communication, false and misleading statements, violated Soldier privacy, and improperly provided retribution, punishment, reprisal, restriction, and violated procedures as outlined in DoD 7050.6, AR600-27 and AR600-20 to silence, degrade, humiliate, obstruct, disrupt a whistleblower (me) in a massive fraud, waste, and abuse scandal.

These actions are a dereliction of duty; provide undue command influence; obstruction of justice; a total invasion of privacy; are capricious, and lacking in dignity and respect. Unjust and unfair and lacking in Soldier-care.

The 25th ID Leadership is willfully and purposely trying to destroy my excellent career and my wife's by mendacious and false allegations. Both GOMARs (RAMOGs) were and/are being used as false official statements against the Division.

The RAMOGs contain mistruths, false allegations, were incorrectly filed; incorrectly adjudicated; contain content errors; violated my due process and/or rights to legal counsel; misled senior officials; both are violation of my protected speech rights, and were directed by Colonel Brendon Raymond who posted my 15-6 online (non-authorized Soldiers' received access). They contain UCMJ articles but my previous requests for Court Martial were declined (all four).

COL Raymond failed to respond to legal support requests; he and LTC Brian Hayes abused their position of authority to undermine me and they used their knowledge and command authority to purposely violate my privacy, my medical history, my income; and willfully attacked a junior officer misleading MG Clark, BG Preston, BG Vowell, and COL Womack. These actions are capricious attempts to undercut my credibility. COL Raymond knew I had filed senior leader misconduct charges against MG Clark in December 2018. Therefore, there he should not have been surprised.

Article 138 (UCMJ) against Major General Ronald P. Clark and his Senior Judge Advocate; and LTC Brian Hayes for failure to act, prevent, and interdict a five-month long campaign by 25th ID to humiliate, reprise, restrict, malign, and degrade my efforts for proper medical care, a position commensurate with my rank, position, and training. His senior Staff Judge Advocate has allowed undue command influence, improper access to legal information; moved JAGs in the footprint to evade and/or negate reports of improper OSJA conduct; has willfully discussed me during open investigations in the Division hallway. Was caught and overheard saying, "We are looking for something to use against." Moreover, failed to prevent and act when an EO case against was set for appeal on 2 Nov 2018 in writing to her office. Moreover, she provided me the wrong legal folder in the CG's office; allowed an EO hearing it occur in which she did not allow

me to have legal representation; and attempted to obstruct and/over cover-up violations of protected communication.

Additional allegations: Failure to provide appropriate due process in four different legal actions and/or reviews to include an Equal Opportunity complaint against Colonel Williams; an Equal Opportunity complaint against me; two general officer letters of censure. 25th ID had hoped two reprimands would silence and degrade my efforts to testify against the Division. However, their actions had the inverse effect; they, again, provided retribution, reprisal, restriction, and underscored a pattern of misconduct, degrading their leadership and future service.

UCMJ Article (139) against Major General Clark for allowing my property, work, and possessions to be willfully damaged. Meaning, it inflicted intentionally, knowingly, and purposefully without justifiable excuse, as distinguished from damage caused inadvertently or thoughtlessly in a negligent manner. Damage, loss, or destruction of property was caused by riotous, violent, or disorderly acts or acts of depredation, or through conduct showing reckless or wanton disregard of my property rights from October 2018 to the present. These willful takings are any unauthorized taking or withholding of property, not involving the breach of a fiduciary or contractual relationship, with the intent to deprive, temporarily or permanently, the owner or person lawfully in possession of the property. Damage, loss, or destruction of property could be valued at \$999,000 and/or 1-million dollars.

These claims are not:

- a. Claims resulting from negligent acts.
- b. Claims for personal injury, death, and theft of services.
- c. Claims resulting from acts or omissions of military personnel acting within the scope of their employment.
- d. Claims resulting from the conduct of Reserve Component personnel who are not subject to the UCMJ at the time of the incident.
- e. Subrogated claims, including claims by insurers.