

**APPENDIX A**

**Commander Directed Investigation Report**

***Developing America's Airmen:  
A Review of Air Force Enlisted Training***

**22 August 2012**

**DEVELOPING AMERICA'S AIRMEN:  
A REVIEW OF AIR FORCE ENLISTED TRAINING**



**COMMITTED TO PROVIDING  
RESPECTFUL AND EFFECTIVE TRAINING**

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# Developing America's Airmen

## A Review of Air Force Enlisted Training

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## **Executive Summary**

On 20 June 2012 Gen Edward Rice, commander of Air Education and Training Command (AETC), commissioned an independent commander-directed investigation (CDI) based on substantiated misconduct within Air Force basic military training (BMT) that occurred between October 2010 and June 2011. This report provides the results of that investigation.

Since the discovery of misconduct, BMT and technical training (TT) have faced greater scrutiny than most military organizations have ever faced. The misconduct of a few irresponsible instructors, less than three percent of the military training instructor (MTI) force, precipitated this investigation and a series of separate criminal, command, and lower-level inquiries. These efforts sought to identify and punish those responsible and collectively amounted to tens of thousands of investigative man-hours.

In an institution that values the service of every Airman and prides itself on integrity, honor, and respect, sexual misconduct is as abhorrent as it is rare. It tears the fabric that holds us together as an Air Force because it destroys our trust, faith, and confidence in each other.

This report necessarily focused on the few who violated that sacred trust and broke faith with fellow Airmen everywhere. Because of their misconduct, this CDI took a detailed look at Air Force basic training and offered a number of recommendations for improving the safety and effectiveness of BMT.

It is important to remember that despite the extraordinary scrutiny of basic training and the adverse effect it could have on morale and unit cohesion, honorable men and women throughout the Air Force enlisted training complex continue to serve every day with distinction. These dedicated Airmen build our Air Force one person at a time and remain proud of their mission and themselves. They make a positive and profound difference every day. Their efforts continue to produce the world's greatest fighting force.

The remainder of this executive summary provides a brief description of the misconduct that led to the CDI, a summary of the CDI's specific tasks, a description of methods used to conduct the CDI, and a summary of findings and recommendations.

## **Background**

**Misconduct and Investigation.** On 24 June 2011 a female trainee assigned to the 37th Training Wing's (b) (7)(C) Training Squadron (TRS) was reassigned to a flight in the (b) (7)(C) TRS.<sup>1</sup> The trainee reported to her new MTI that SSgt Luis Walker, an MTI assigned to the (b) (7)(C) TRS, had sexually assaulted a fellow trainee. The new MTI immediately informed the (b) (7)(C) TRS squadron commander, who in turn notified the (b) (7)(C) TRS squadron commander. Within 24 hours of notification, the squadron commander removed Walker from his duties, issued a no-contact order, and notified the Air Force Office of Special Investigations (AFOSI), which immediately opened an investigation into Walker's alleged misconduct.

During the approximately five-month AFOSI investigation, agents uncovered a total of 10 Walker victims—dating from October 2010 to June 2011. In November 2011,

concurrent with the Walker investigation, three MTIs in the (b) (7)(C) TRS approached their squadron superintendent and alleged that they knew of MTIs within their squadron engaging in inappropriate behavior and misconduct toward female trainees. The superintendent informed the (b) (7)(C) TRS commander, who contacted AFOSI, initiating another investigation. During subsequent interviews, all alleged victims denied involvement in sexual or other misconduct with MTIs. AFOSI ultimately found no credible evidence of inappropriate sexual contact and ceased its investigation on 5 December 2011.<sup>2</sup>

The 802nd Mission Support Group (MSG) staff judge advocate (SJA), having jurisdiction in this case, was dissatisfied with the results of the AFOSI interviews and elected to reinvestigate the matter using the Security Forces Office of Investigations (SFOI). SFOI agreed to interview the suspected MTIs (including then-SSgt Peter Vega-Maldonado),<sup>3</sup> while the base legal office interviewed other MTIs from the (b) (7)(C) TRS. Based on these initial interviews, the 802nd SJA requested that SFOI conduct further interviews with potential victims at various bases.<sup>4</sup> On 26 January 2012, during a follow-on SFOI interview, a former female trainee admitted to beginning a sexual relationship with Vega-Maldonado after graduating from BMT and arriving at technical training. From January to May 2012, SFOI investigators identified six more MTIs who allegedly engaged in sexual misconduct with trainees and students. A significant number of investigative leads came from Vega-Maldonado, who was given a sentence cap in exchange for his guilty plea and a promise to provide information under a

grant of testimonial immunity regarding misconduct by fellow MTIs. In May 2012 the AFOSI rejoined the investigation when it appeared that several of the violations discovered fell within AFOSI jurisdiction.

**Adjudication.** In late November 2011 charges were preferred against Walker. He was subsequently convicted of 28 charges, ranging from violation of lawful general order to rape, in a general court-martial ending on 20 July 2012. He was given a 20-year sentence, reduced in rank to Airman basic, required to forfeit all pay and benefits, and ordered to be dishonorably discharged.

Convicted on one count of engaging in an unprofessional relationship, Vega-Maldonado was reduced in rank to Airman, given 90 days confinement, required to forfeit \$500 per month for four months, and given 30 days hard labor at his April 2012 court-martial. Under the grant of testimonial immunity, Vega-Maldonado confessed to seven unprofessional relationships and to date has provided testimonial evidence against five other MTIs regarding their misconduct with trainees. On 1 August 2012 TSgt Christopher Smith was also found guilty by a special court-martial on two counts of engaging in unprofessional relationships. He was reduced in rank to Airman and sentenced to 30 days confinement.

To date, three MTIs (Walker, Vega-Maldonado, and Smith) have been convicted of sexual assault or unprofessional relationships with trainees or students. Four additional MTIs (b) (7)(C), SSgt Craig LeBlanc, SSgt Jason Manko, and SSgt Kwinton Estacio) are awaiting court-martial. Charges involve sexual assault or unprofessional relationships with five trainees or students. Eight additional MTIs are

under investigation for engaging in unprofessional relationships with 19 trainees or students, and one MTI also received nonjudicial punishment (NJP) under Article 15 of the *Uniform Code of Military Justice (UCMJ)* for inappropriate social-media contact with trainees. Because active investigations continue, it is possible that additional misconduct may be uncovered.

### **Commander-Directed Investigation**

On 20 June 2012, concerned about the extent of misconduct, General Rice appointed Maj Gen Margaret Woodward, acting director, Operational Planning, Policy, and Strategy, Deputy Chief of Staff, Operations, Plans, and Requirements, to lead an independent 60-day CDI into faculty and staff misconduct with BMT trainees and TT students. General Rice explained the purpose of the CDI:

- This CDI is the next stage in AETC efforts to deeply and deliberately evaluate the BMT and TT environments and obtain recommendations to enable AETC to
- a. Dissuade, deter, and detect criminal behavior by faculty and staff with trainees and students and eliminate the climate that fosters it.
  - b. Hold offenders accountable while ensuring due process.
  - c. Ensure a command environment that effectively supports victims and where any individuals who know of or reasonably suspect misconduct (bystanders) rapidly disclose information to the right authorities.

- d. Ensure leadership at all levels accomplishes the three items above in a timely manner.

The memorandum of appointment goes on to establish seven tasks for the investigation:

- a. Identify all current and historical cases of reported sexual misconduct and unprofessional relationships between faculty/staff and trainees/students in the BMT and TT environments. Your review should go back at least three years, and more if necessary.
- b. Identify all current and historical cases of maltreatment and other forms of abuse of power by faculty/staff. Your review should go back at least three years, and more if necessary.
- c. Assess the efficacy of AETC's actions in response to the reported cases of misconduct.
- d. Identify the root causes of misconduct by faculty/staff.
- e. Assess the efficacy and completeness of AETC's strategy to address the root causes of misconduct by faculty/staff.
- f. Determine whether AETC is in compliance with applicable laws and policy with respect to misconduct by faculty/staff in the training environment.
- g. Consider whether gender-segregated training would be a more effective model to mitigate MTI misconduct.

CDI investigators were given full independence to develop findings and offer recommendations. No limitations were placed on their ability to pursue information or take a critical look at the training environment, culture, or policies.

To complete the investigation, General Woodward assembled a team of 38 Air Force officer, enlisted, and civilian personnel. They included representatives from the Air Force Judge Advocate General's Corps, Security Forces, Sexual Assault Prevention and Response Office, recruiting, the inspector general, and medical community. Additionally, Airmen with experience as MTIs, military training leaders (MTL), and TT instructors (TTI) were included on the investigation team. Air University and AETC's Studies and Analysis Squadron assisted in the collection and analysis of data and the report's drafting.

### **Methodology**

Investigators collected data using interviews, site visits, surveys, focus groups, analysis of case-specific material, and a review of existing academic literature. The CDI team also created and manned a 24/7 sexual misconduct hotline designed for current BMT trainees, TT students, and recent graduates, who were encouraged to use the hotline to report misconduct.

**Interviews and Site Visits.** Over the CDI's duration, investigators visited BMT at Lackland AFB, Texas; technical training schools at Keesler AFB, Mississippi, and Lackland, Goodfellow, and Sheppard AFBs, Texas; Officer Training School (OTS) at Maxwell AFB, Alabama; and Army basic training at Fort

Jackson, South Carolina. A video teleconference was held with leaders of Navy basic training at Recruit Training Command, Great Lakes, Illinois, and a telephone interview was conducted with leaders at Marine Corps basic training at Parris Island, South Carolina. On the various site visits, interviews were conducted with a wide range of personnel, from trainees and students to leadership. Investigators principally focused on sexual assault, sexual harassment, unprofessional relationships, maltreatment, and maltraining at BMT (Lackland AFB). The team interviewed the commanders of Second Air Force, the 37th Training Wing, and the 737th Training Group (TRG) and the eight BMT squadron commanders. The team also interviewed superintendents, first sergeants, section supervisors, and MTIs (male and female) from each of the squadrons—approximately 90 interviews at BMT. More than 115 interviews with leaders, faculty, and students at technical training schools were also conducted.

**Surveys and Focus Groups.** To measure trainee and student awareness of policies regarding sexual assault, sexual harassment, unprofessional relationships, maltreatment, and maltraining and to better understand the training environment and the extent of misconduct, investigators employed several tools. They included:

- Trainee focus groups (week 1 and week 4)
- MTI and spouse focus groups
- Quizzes (sexual assault, sexual harassment, and maltreatment, given to week 1, week 4, and week 8 trainees)
- Analysis of more than 25,000 end-of-course surveys completed by BMT graduates from 2009 to 2012

- Anonymous questionnaires administered to 6,003 BMT trainees (almost 100 percent of those assigned) during July 2012
- Surveys of over 400 MTIs concerning BMT culture
- Unit climate assessments (conducted by the 502nd Air Base Wing [ABW] Equal Opportunity Office for each BMT squadron)

The largest of these efforts was the CDI's 2012 *Training Environment and Culture Survey*, administered to 18,281 trainees, students, MTIs, MTLs, and TTIs. As one of the largest surveys ever given to trainees, students, and faculty, the survey provided the CDI team a valuable window into the training environment. For a detailed look at the survey's results, see Appendix N.

Likewise, the TT environment was analyzed through a series of surveys, interviews, and focus groups. More than 9,200 TT students completed at least one of two surveys; one focused on sexual assault and misconduct and another online survey concentrated on the technical training culture. In addition, more than 2,100 MTLs and TTIs also completed an online survey focused on the training environment. End-of-course surveys completed by TT students dating back to 2007 were also analyzed, and focus groups were conducted with technical training students. Much of our analysis is available in the appendices.

**Case-Specific Material.** A detailed review of all available law enforcement investigative material was undertaken. This included detailed interviews and law enforcement reports related to each of the specific cases that led to this investigation. While most case-specific material is protected by the Privacy Act

and is not available to the public, an extensive bibliography of releasable or publicly available material is included in the report.

**Literature Review.** Investigators reviewed relevant policy, recent government studies, and academic literature. In many instances, this information guided the development and design of interview and survey questions. It also assisted the team in understanding the history and psychological basis for misconduct.

### **Findings and Recommendations**

This investigation examined every aspect of BMT and TT associated with recent misconduct and attempted to establish the root cause of problems that gave rise to serious lapses in good order and discipline. The findings and recommendations in the report offer a number of actionable opportunities to better dissuade, deter, and detect misconduct in the future. Although no single solution to the problem of misconduct was found, we believe institutionalizing the comprehensive solution set detailed in the report will significantly reduce the possibility of future unprofessional behavior.

The findings and recommendations are not without an important caveat. Since many incidents involving MTI misconduct crossed into the technical training environment when MTIs engaged in unprofessional relationships with TT students, the CDI examined both basic and technical training. However, the principle CDI focus was on BMT, and only a limited review of technical training was possible within the time frame of this investigation. Thus, we were unable to provide a fully developed set of recommendations regarding technical training and suggest a follow-on review to ensure that what occurred in BMT does not occur in technical training.

The findings and recommendations in the report are summarized in six categories based on the lines of effort taken by the CDI team. These are leadership; selection and manning; training and development; reporting, detection, and climate; policy and guidance; and gender integration.

**Leadership.** In any Air Force unit, commanders are ultimately responsible for mission success. To be effective, they must have the tools necessary to accomplish the mission. We believe one of the most important tools any commander has is the ability to discipline subordinates. This single aspect of command, above all others, distinguishes a commander from a manager; it is the foundation of good order and discipline in a military organization.

We did find cases where supervisors and commanders needed to exercise disciplinary authority with greater speed, consistency, and rigor. However, we also concluded that enhanced processes coupled with stronger leadership focus would resolve this concern more effectively than other options, including those that remove disciplinary authority from unit commanders.

The vast majority of training commanders work tirelessly to ensure mission success. However, our investigation also revealed instances where supervisors and commanders were insulated from, rather than engaged with, their squadrons. In these cases, insufficient oversight contributed to a culture where incidents of misconduct developed. Likewise, isolated instances where mid-level supervisors were either too lenient in dealing with an infraction or, in

at least one case, were directly involved in the misconduct also had an adverse impact on professionalism in the squadron.

Fixing these problems will require leaders who foster and promote a professional culture by directly engaging with instructors and trainees every day. In short, leaders must be an integral part of the training process from start to finish, building a climate of respect and discipline through action and example.

When operations officers were removed from the training squadrons between fiscal years 2007 and 2009, only one officer was left to supervise a squadron of up to 1,000 noncommissioned officers (NCO) and Airmen, so the level and intensity of supervision were significantly reduced. We believe this is part of a BMT “leadership gap” that should be filled as soon as possible. Our recommendation for increased officer oversight requires an additional major and four captains in each of the seven “street” BMT squadrons (320th, 321st, 322nd, 323rd, 324th, 326th, and 331st TRSs).

Additionally, leaders at all levels must prove their commitment to zero tolerance for misconduct by never wavering in their focus and consistently holding perpetrators fully and appropriately accountable. We recommend a renewed emphasis on the long-standing AETC standard that all nonprofessional contact, even when the student or trainee appears to consent freely, is unacceptable.

**Selection and Manning.** While manning authorizations are established to allow for two MTIs per flight, current manning stands at 86 percent of the authorization, which does not support the construct of increased oversight. Additionally, training requirements for new MTIs, medical holds for sick or injured personnel, pending

transfers, personnel on leave, and other persistent challenges further reduce effective manning. This regularly results in flights with only one MTI. When this occurs, MTIs may be required to train flights continuously without a break. Work schedules can also regularly average 85–100 hours per week. It was under circumstances like these that misconduct occurred.

We recommend increasing MTI manning to fill all funded manpower authorizations as soon as possible. This will enable the creation of four-member MTI teams, helping to disperse responsibility, authority, and power among team members. Increasing the female MTI ratio to mirror the proportion of female trainees will assure one woman per MTI team, while simultaneously allowing women to fill leadership positions that are an essential element of viable integrated training. The 737th TRG's proposal to reduce basic training from 8.5 weeks to 7.5 weeks should be adopted as soon as feasible. Modifying the BMT schedule in this way would eliminate unneeded breaks in training, increase efficiency, and reduce total MTI manning requirements.

The recommendations for a new MTI training-team paradigm, a quota for female MTIs, and a three-year tour cap all have manpower implications. We believe that the additional manpower requirements associated with these recommendations may be partially or completely offset by implementation of the 7.5-week curriculum. However, we believe a thorough manpower study should be accomplished to more accurately assess the total requirement. Integral to this study should be an accounting for the high rate of instructors that

are considered “ineffective” on any given day because of training, medical profiles, investigations, or reassignments. Data over the last 18 months revealed an average ineffective rate of 25 percent.

In examining the MTI selection process, we found that some MTIs were too immature and inexperienced to effectively exercise the authority and power they were given over trainees. Interviews revealed that some MTIs lacked the experience necessary to effectively serve as mentors and leaders and had little to no supervisory experience. We also found too often that junior MTIs had not completed Airman Leadership School—mandatory for frontline supervisors elsewhere in the Air Force. This lack of experience is considered particularly relevant when a single MTI is generally responsible for a flight of 50 or more trainees. Given the responsibility inherent in supervising and training this many Airmen, MTI leadership experience and skills are critical.

Additionally, to attract the Air Force’s best NCOs to serve in this challenging assignment, effective incentives should be used to improve the quality of NCOs recruited to serve as training instructors. We also recommend that all possible career fields release eligible candidates for service in the MTI corps.

Separately, we believe the Air Force should increase the number of investigative personnel supporting our training wings and provide them with specialized training for this unique environment. SFOI is undermanned at Lackland because trainees do not count toward the number of investigators assigned. 802nd Security Forces Squadron manning will have to be formally assessed to determine the requirement for specially

trained and dedicated personnel within SFOI to meet the unique investigative needs of the training environment.

**Training and Development.** Squadron commanders are often functional experts within their career fields. However, commanders assigned to basic training squadrons rarely have any significant experience dealing with enlisted training. To resolve this concern and better prepare new commanders for this challenging environment, we recommend the establishment of a training program that is tailored to the unique aspects of commanding a BMT squadron.

For some MTIs, the power they hold over impressionable young men and women may tempt them to consider unprofessional conduct. Our investigation concluded that professional development programs that reinforce Air Force core values and emphasize professional NCO responsibilities will help ensure instructors are highly effective and professional at all times.

The shortfall in NCO professional development also impacts the overall climate at BMT. In some cases, instead of relying on a culture of respect to motivate trainees, MTIs relied too heavily on a culture of fear. Emphasis on MTI duties over NCO responsibilities affected not only the way MTIs related to trainees, but also the way in which they related to one another. Instances of experienced MTIs openly dressing down new MTIs, even those senior in rank, in front of trainees exemplify the negative culture that was present. The 37th TRW's deliberate development effort aimed at revitalizing a culture of respect is commendable, and we believe it should be fully resourced.

**Reporting, Detection, and Climate.** Reporting and detection of misconduct are essential to holding perpetrators accountable and deterring future misconduct. Unfortunately, in the eyes of faculty and staff, the combination of reporting barriers and poor detection methods assisted in creating a culture where misconduct appeared to be tolerated by leadership.

This also created an environment where trainees were fearful of reporting instances of sexual assault, sexual harassment, unprofessional relationships, maltreatment, and maltraining because they were afraid of MTI reprisal, were fearful of punishment for their own misconduct, and in some cases, did not believe action would be taken against a perpetrator. We found that MTIs also failed to report misconduct for a variety of reasons, ranging from reluctance to come forward with uncertain allegations to fear of ostracism from their peers.

While it is difficult to eliminate all barriers to reporting, it is imperative that every effort be made to empower victims when they come forward. Providing easy and anonymous reporting and reassuring trainees that they will not face reprisal are critical first steps. If these steps are coupled with clear reporting guidelines and a culture that reinforces professional NCO responsibilities, we believe MTI reporting will improve. A positive step toward achieving these objectives has taken place. The CDI's 2012 *Training Environment and Culture Survey* found that 93 percent of trainees and students are comfortable reporting maltreatment and maltraining and more than 95 percent believe that leadership made reasonable efforts to stop sexual assault.

We also found that leadership would benefit from behavioral training designed to detect indicators of misconduct. We recommend that this type of instruction be included in the initial squadron commander training previously suggested.

**Policy and Guidance.** It was clear that commanders, supervisors, instructors, trainees, and students understood applicable regulations and guidance regarding professional conduct. However, our investigation found that punishment for these types of infractions varied widely within BMT and that, occasionally, individuals received punishment that seemed inconsistent with the severity of the misconduct. These situations contributed to the perception that unprofessional behavior would be tolerated by at least some in authority.

Most importantly, when we looked back over the past several years, it became clear that guidance and command emphasis on these issues were inconsistent over time. As attention ebbed and flowed, cycles of misconduct occurred. To prevent recurrence, we believe effective policies and procedures must be institutionalized, preventing the need to rely on the focus of an individual commander. Finally, we recommend that AETC work with the other services to conduct an annual review of initial training to stay ahead of developing trends, share best practices, and give these issues the continuing focus they deserve.

**Gender Integration.** The CDI's charter tasked investigators to consider whether gender-segregated training would prove to be "a more effective model

for mitigating MTI misconduct” than the current approach. To examine this option, investigators studied the current Air Force basic training model, along with those of the Army, Navy, and Marine Corps.

During our assessment, we concluded that the long-term readiness of the Air Force would best be served by a basic training construct that included three key attributes. First, any construct must provide an optimum balance between safe and effective training. Second, it must take advantage of an Airman’s most formative period by instilling the same principles of mutual respect between genders that will be required in the operational Air Force. And third, it must address the power imbalance between MTIs and trainees that played such a significant role in setting the conditions for recent misconduct.

We compared the current Air Force BMT model with the segregated approach used by the Marine Corps and the fully integrated approaches used by the Army and Navy. Coupled with our thorough evaluation of leadership, policies, manning processes, and other aspects of BMT, this comparison led us to conclude that integrated training remains the best option for the Air Force.

While we found that the current BMT construct produces well-trained and exceptional Airmen, we also found that it requires changes to better optimize the balance between safety and effectiveness. These changes include approaches to diffuse individual MTI power and promote respect between the genders.

Achieving these objectives will require a modest reform to the single-MTI-per-flight approach currently used. Instead, we suggest that a team of four MTIs be assigned

to instruct two flights. Further, we believe one of the four MTIs in each team should be a woman, increasing overall MTI female manning to 25 percent of the force.

We recognize that this approach requires an increase in MTI manning, particularly in female numbers. However, we found that the Air Force has the lowest effective instructor-to-trainee ratio of any of the services and that the Air Force is currently the only service of the four without an established quota for female instructors in basic training. This led us to conclude that our suggestion is both feasible and critical. Furthermore, if the Air Force ultimately shortens BMT by one week (per our recommendations), the overall manning requirement for MTIs will be reduced, mitigating the impact of this change.

We believe this new construct will enhance training by providing role models of both genders for each flight of trainees and that it will enhance safety by diffusing power among all four instructors, limiting the likelihood that any one instructor could use his or her influence with a trainee to coerce misconduct. Moreover, this approach increases female role models and preserves an integrated training approach that is consistent with the principle of “training the way we will fight,” together as Airmen.

## **Conclusion**

A policy of zero tolerance for misconduct requires action consistent with the words. The Air Force has invested thousands of man-hours in investigations to identify and punish those responsible for recent cases of sexual misconduct

and to help preclude the possibility that it will happen again. Within this report, we describe additional specific actions we believe should be implemented to establish a BMT climate that provides the safest and most effective training possible for every Airman.

### Notes

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1. The term *trainee* is the proper title for individuals in basic training. Upon graduation, they become Airmen. While in technical training, they are also known as students. Throughout this report, the term *trainee* refers to an individual in basic training, and the term *student* refers to an individual in technical training.

2. The Office of Special Investigations is a chartered organization within the Air Force, which makes it independent of local leadership. Thus, while Security Forces may work for a wing commander, for example, and may be compelled by the wing commander to undertake an investigation, the local AFOSI office is independent and cannot be compelled to open an investigation by leadership outside the AFOSI chain of command.

3. Until charges are referred, the name of an instructor under investigation cannot be released. Thus, the term *subject MTI* is used.

4. The Security Forces Office of Investigation is distinct from AFOSI. Where AFOSI may be compared to the Federal Bureau of Investigation, SFOI may be most easily compared to detectives in a local police department or sheriff's department. The work of a standard security forces unit, as opposed to SFOI, best compares to the work of a

patrol division within a local police department. For further detail see Air Force Instruction 31-206, *Security Forces Investigations Program*, 16 September 2009.