

REPORTING & LAW ENFORCEMENT FACTS
For
LTC Teresa James
West Virginia National Guard

Below is a timeline of my reporting efforts to both my command and civilian / military law enforcement.

7 Aug 2012 - Initial Report DAIG via email.

18 or 19 Sep 2012 - I contacted DAIG and was informed case closed out with DAIG

42 day delay

23 Sep 2012 - I contacted WV National Guard Chaplain telephonic regarding Sexual Assault.

25 Sep 2012 - Met with Chaplain at offsite location

26 Sep 2012 - Gave Chaplain permission to speak with TAG on Sexual Assault

30 Sep 2012 - I contacted BG Buckalew regarding sexual assault minus specifics

2 Oct 2012 - Chaplain Coffey informed me MG Hoyer wanted to speak with me immediately regarding the Sexual Assault

7 day delay

2 Oct 2012 - Contact MG Hoyer and provided specifics. He informed me he took it seriously, sexual assault is a felony crime and he would take care of it.

10 Oct 2012 - Telephonic Conversation with LTC Ambrose, provided specifics regarding Sexual Assault.

12 Oct 2012 - I contacted Mrs. Carolyn Walker, who eventually became my Victim Advocate, told her to bring the official form for me to complete regarding official report. We met later that day.

18 Oct 2012 - I contacted Mrs Jane Lux, NGB Sexual Assault Program Mgr, I ask her if I needed to go to Arkansas Law Enforcement (LE). She stated WV SARC should be working that with Arkansas SARC.

19 Oct 2012 - I contacted WV SARC (MAJ Bridget Miller) to get a copy of Travel Claim to identify jurisdiction of hotel (N. Little Rock or Little Rock) in order to report to local law enforcement in Arkansas. She stated she would obtain this for me so I could report to Arkansas PD.

19 Oct 2012 - I contacted AK SARC who discussed AK statutes and she agreed to help with contact for Little Rock Arkansas LE contact. She stated before we could proceed we would have to know who had jurisdiction over the crime. (N. Little Rock or Little Rock) and that WV SARC was working the travel claim to support. She said there are other avenues we can approach if AK LE does not take the case.

28 Oct 2012 - I sent an email to CID Hotline to report a crime.

29 Oct 2012 - I was contacted by Agent Ivanjack CID HQ said I would receive a call from a Field Agent.

30 Oct 2012 - I was contacted by Agent Arp, CID Fort Lee, VA. This is the first official report to any Law Enforcement Agency. After we discussed the specifics he asked for phone numbers for SARC MAJ Miller and JAG LTC Ambrose.

31 Oct 2012 - LTC Ambrose sent an email formally requesting OCI Team from NGB, to investigate sexual assault.

29 day delay since reporting on 2 Oct 2012 to Hoyer

85 day delay since initial reporting on 7 Aug 2012 to DAIG

6 Nov 2012 – WV SARC CPT Miller contacted me on another matter. I inquired about the copy of my travel claim, I requested from her on 19 Oct 2012, so I could report to Arkansas PD. She replied, “I ran into a stumbling block.” I asked what that was and perhaps I could help. She replied, “I failed to follow up and I will get on it as soon as we get off the phone.”

6 Nov 2012 – Received Travel Claim from SSG Hunt.

17 day delay on receipt of travel claim to determine jurisdiction

19 Nov 2012 – **I contacted Det Rose, N. Little Rock PD.** Although, she was not Little Rock PD, I wanted to get a number from her. Left her a Voice Message.

19 Nov 2012 – Formal Memorandum sent to NGB, Office of Complex Investigations, requesting team to investigate Sexual Assault, signed by MG Hoyer. **Paragraph 3 of his memo states the following:**

3. The matter was referred to civilian law enforcement that declined to investigate. This request has been reviewed by the State JA and has been coordinated with NGB-JA/OI to ensure a sufficient NG nexus exists.

**48 day delay from date of report to MG Hoyer
104 day delay from date of report to DAIG**

20 Nov 2012 – I contacted Arkansas SARC to try to get a number for Little Rock PD.

21 Nov 2012 – Detective Rose, NLRPD, contacted me and provided me with information for Little Rock PD. She informed me everything would have to be completed by 5 Dec 2012 in order to even attempt a prosecution.

21 Nov 2012 – **I contacted Little Rock PD, Violent Crimes Unit and filed a police report with Detective Leavy.**

26 Nov 2012 – I contacted Detective Leavy and provided statement. I provided an address for my assailant and phone number for WV National Guard (MG Hoyer and COL Crane) for him to get additional contact information on Roy Bourne.

3 Dec 2012 – I contacted Detective Leavy for an update. He stated the phone number provided by the WV National Guard was a non-working number. He said he would have to close out the investigation and get it to the Prosecuting Attorney Office before the statute ran out.

4 Dec 2012 – I received a call from Melanie Martin, Sr. Dep. Prosecuting Attorney, Little Rock, AR. She stated after review of the case it did not meet the criteria (forcible / incapacitated) for the six year statute. This was based on the information available in my file from 26 Nov 2012. She stated, “He could have been charged with a lesser crime but, the statute was three years. “ She apologized and stated she had three different atty review the case before making the decision. She indicated this was not the only recourse and to continue to pursue justice through other means (i.e., Military).

12/10/12 – 12/14/12 – National Guard Bureau Complex Investigation Team arrive in Charleston to conduct investigation.

**69 day delay from report to MG Hoyer
125 day delay from initial report to DAIG**

1/23/2013 – Investigation came back to state.

4 Feb 2013 – LTC Ambrose asked me for the phone numbers for Little Rock AR prosecutor whom “I” spoke with on my case and the number for Agent Arp, Army CID Fort Lee, VA. She stated she would need to obtain a written document from both agencies that they were not going to prosecute criminally.

6 Jun 2013 – See below from memorandum from MG Hoyer to my attorney.

In addition, I went one step further and had my JAG office contact Arkansas police department, CID and the USAO/SDWV in order to see if any of these entities would prosecute COL Bourne criminally for his acts to LTC James. Unfortunately, all three declined to prosecute this offense and we did secure documentation to that effect from each of those entities.

20 Jun 2013 - letter from USDOJ declining prosecution. Even though they had no jurisdiction.

24-27 Jun 2013 - Department of Defense IG Investigators were in WV conducting interviews. It is my belief this is why the 20 Jun memo was acquired.