



DEPARTMENT OF THE ARMY
HEADQUARTERS AND HEADQUARTERS BATTALION
25TH INFANTRY DIVISION
SCHOFIELD BARRACKS, HAWAII 96857-6000

AFZC-S1-SAG

23 February 2019

MEMORANDUM FOR Major General Ronald P. Clark, Commander, 25th Infantry Division, Schofield Barracks, Hawaii, 96857

THRU: LTC Brian Hayes, Commander, HHBN, 25th Infantry Division, Schofield Barracks, Hawaii, 96857

SUBJECT: Letter of Reprimand (AR 600-37, Paragraph 3-7; AR 600-20, para-12) [Reprisal Case – Senior Leader Review – 25th ID HQ] (DoD IG; DAIG IG)

1. The letter of reprimand directed by COL Brendon Raymond was in violation of DoD Directive 7056.6. COL Brendon Raymond and LTC Brian Hayes have violated DoD Directive 7056.6 at least on five different occasions since November 2018. Official legal and Inspector General verification reports were completed before each of the unfavorable actions directed by COL Raymond and LTC Hayes to include but not limited to:

Forced mental health appointments (wrong procedures) while the first exam was under investigation (directed by COL Kevin Williams); threats of UCMJ shortly after meetings with the Office of the Inspector General; Criminal Investigation Division and/or the US Senate; posting an EO complaint against me on a DIVARTY share portal (online) where certain Soldiers' received improper access; discussions about my health (without me present and/or a medical provider); negative counseling statements for me texting about fraud, waste, and abuse and an EO violation, and other demeaning behavior including in front of peers and junior officers to include two lieutenants. This very reprimand violates DoD Directive 7056.6. LTC Hayes received the text messages (somehow) that were related to my own health, safety, and emergency. The texted messages were designed for private/secure messages to a US Army Chaplain and US Senate. However, LTC Hayes and COL Raymond, desired to retaliate and their malicious attempt caused undue harm to the mission-command of the unit.

2. My text messages were sent to Deputy Division Chaplain and my Sprint iPhone 8 data includes: LTC Brian Hayes and COL Brendon Raymond starting and continuing in a pattern of leader misconduct to include hazing, bullying, and social isolation costing me an estimated and/or protected \$11,000 as a result of legal, medical bills, and threats of charged leave for dates that Division Chief of Staff, Colonel David Womack and Colonel Brendon Raymond (himself) said I would not be charged for leave for official business.

3. I recently reported COL Raymond for, perhaps, evading state and federal income taxes during his tenure at the 101st (Airborne) Division. The only reason I found out was a systematic problem of OSJA and/or LTC Hayes of providing the wrong documentation, forwarding me messages, and ironically LTC Hayes' text messages to me.

4. If LTC Hayes accidentally received my text messages, the messages were protected communication designed for an Army Chaplain and US Senate report on massive fraud, waste, and abuse in the 25th Infantry Division. In addition, I did and remain committed to reporting crimes to include perceptions and/or allegations of income tax evasion. In addition, LTC Hayes did not call me and/or text me back with any concerns.

5. This same weekend, I reported LTC Brian Hayes Army Leadership violations including missing 1,000 rounds of 9MM ammunition, property, and for a threat of a counseling statement for email on official business at 0636. LTC Hayes has missing equipment, property and displays an overall pattern, along with COL Raymond, of misconduct in violations of UCMJ Articles 133/134 and UCMJ Articles 89, 90, 133. LTC Hayes, COL Raymond, and BG Vowell's communication has been out of line and is disrespectful to a junior officer. Respectfully, non-verbal and/or ignoring Soldiers can be considered bullying and/or hazing by AR 600-20.

6. BG Vowell, COL Raymond and LTC Hayes' are senior field grade officers and in their desire to withhold favorable actions and direct unfavorable actions is considered hazing, bullying, and not in line with the Army values. Moreover, all three superior officers have violated DoD and DA reprisal guidelines for protected speech. I would ask that AR 600-37, and appropriate administrative reprimands are reviewed, not as punishment under UCMJ, but as administrative actions for all three officers. Even my last two emails citing BG Vowell's egoistical behavior is not said in a disrespect and/or in an unprofessional manner. It is said in a desire to hold all officers (regardless of rank) to the same standard. The same with the \$Billions of unchecked funds in the throughout Army Hawaii.

7. In addition, BG Vowell is the supervisor for both COL Williams and COL Raymond and, to my knowledge, he did not correct and/or stop their hazing (along with LTC Jen McDonough – AR 600-20). Therefore, he is equally as involved and/or responsible as the Division Deputy Commanding General – Operations (per the Division's Rating Scheme).

8. LTC Hayes has made different leadership decisions in which are cause for a total lack of judgement: he violated DoD and US Army polices on reprisal, he directed me, in the back of a van (in my Class Bs for a forced mental health exam). He also failed to provide proper guidance for charged leave, admitted losing ammunition that was missing for weeks. LTC Hayes spelled his own name wrong twice on an official DAIG counseling document; provided false and/misleading documents to the Division Headquarters including false and/incorrect APFT data. He also allowed the wrong Commanding General's name to be included in official documents (2016); attempting to direct an administrative separation (mental health) without the proper guidelines; ordering me and/or using undue command influence, in an attempt, to order me to turn-in my iPhone 8. My iPhone 8 has possible adverse information about MG Clark; COL

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David Womack; COL Williams; COL Raymond; LTC Hayes (CID), and myself. To protect the command and myself, I invoked my 5th Amendment privilege.

9. Moreover, my text messages since October 2018 detailed the humiliating manner in which COL Kevin Williams started by reprising against me for poor semantics, but a protected communication, with the 2IBCT key stakeholders on 5 October 2018. I was and/or did reporting allegations of criminal activity. Furthermore, nearly once-per week, COL Raymond will email me with a directive to report. However, he often and/or refuses to respond to my requests for Soldier-care. My OER remains incorrect (after 4 requests for DIVARTY intervention; the admin is false), COL Raymond violated his own directive not to charge me leave for official business and allowed COL Williams and/or and shared with him (close hold) data related to my case.

10. Recently, I went out to the Parade Field to support COL Raymond for an Army Newcomers' Welcome and I heard (later confirmed) that he, too, was made despairing comments about me. Along, with BG Joel B. Vowell's disrespectful demeanor to a subordinate officer, to including ignoring my polite, "Tropic Lightning," greetings. Likewise, I was told to report in Army Uniform for PT at 0630 for 25th ID PT and then I saw BG Vowell in his civilian clothes on a bike. There is a pattern of different expectations for different ranks at 25th ID. That is to say - I have been counseled for false allegations, have had two meetings with MG Clark, in which both meetings contained egregious legal errors. Most recently, in which my EO rebuttal was not even reviewed before adjudication. MG Clark is in my EO case; respectfully, he should have stepped aside. (The case had been appealed (legally) since 2 November 2018 for a conflict of interest).

11. I am 100-percent not-guilty of EO violations within 2IBCT and 100-percent not guilty of being the person that COL Williams created for a false narrative, LTC Hayes did not even know/or care to know me, the Officer that COL Raymond belittled, in front of two Lieutenants in his headquarters, and counseled before Christmas despite me having Christmas Cards for his family, is simply not true.

12. I have been bullied, harassed, and intimidated since blowing the whistle on LTC Jen McDonough, BSB, 2/25. My email was not disparaging (poor semantics) and it was legally vetted to ensure it negated adverse action and/or removal. Totally disregarded by OSJA and COL Williams causing undue harm to the US Army.

13. I will not apologize. I have suffered enough – always in the best interest, not of 25th ID, but of the US Army. There is a silver lining. My very best, most dedicated effort, and overall best organizational learning experience has been at 25th ID. I have loved both of my positions within the unit. It takes moral courage, tenacity, drive, and endurance to hold Senior Officers accountable; with very limited support. I am guilty of one thing – caring too much about the, 'Total Army.'

14. I am highly motivated and come to work early and often in support of the US Army.

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As opposed to continued attacks, hazing, bullying, social isolation, reprisal, false allegations, improper mental exams, I simply would like support, respectfully.

15. I am committed to gender and diversity equities now more than ever. Likewise, your decision to file and/or not file my letter is yours, respectfully. My appeal was submitted on 17 January 2019 after being falsely accused by COL Raymond of something (in a counseling) that I did not, would not, and could not do.

16. My concern is pride, discipline, and serving the US Army with distinction. I will endure; the Army will, too. My wife, Nah-Lin, and I only want the best for the entire Army. Respectfully, your Division's decision to malign my family with an EO complaint, without reviewing my rebuttal and/or entire life's work is lacking in dignity and respect. Moreover, it is considered an unfavorable personnel action and without due process for the Army EO's program. Likewise, it contradicts guidelines and applicable procedures directed by the Department of Defense and Secretary of Army for Equal Opportunity.

17. Years ago, I was told there was nothing in life worse than losing a child. However, experiencing combat deaths and this total lack of Soldier-care and humiliating experience at 25th is nearly just as hurtful. Regardless – I am much better for being at 25th ID, hope the Army, is too. I would like an apology for the retribution in which I have experienced. Likewise, a thank you for my efforts at bringing effective, thoughtful, organized, and accurate personnel and financial data to footprint in support of the Department of Defense and the US Army.

18. The POC is the undersigned.

///Original Signed///
ANDREW J. HIGGINS,
Major, AG, Ph.D.
U.S. Army

**US Senate Report Addition
25th ID Reprisal Case
Senior Leader – MG Clark (Commanding General)**

CC:
DoD IG
VCSA
DAIG IG
DAS
USARPAC
I Corps
MG Clark – Cdr, 25th ID

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BG Preston – DCG-S
BG Vowell – DCG-O

NAACP
CID – Financial Review (Senior Leader Financial Evasion)
25th ID

Army Board of Corrections – PREPO
HRC