



UNITED STATES MARINE CORPS

Marine Barracks
8th & I Streets, S.E.
Washington, D.C. 20390-5000

IN REPLY REFER
5800
CO/pdm

JAN 10 2011

From: Commanding Officer
To: Lieutenant Colonel Nicole K. Hudspeth
Subj: COMMAND INVESTIGATION INTO SEXUAL HARASSMENT, HAZING
ALLEGATIONS, AND OTHER MISCONDUCT

Ref: (a) CO, MBW ltr CO/pdm of 23 Sep 10
(b) CO, MBW ltr CO/pdm of 2 Dec 10
(c) JAGMAN
(d) MCO 1000.9A (Sexual Harassment)
(e) SECNAVINST 5350.16A
(f) MCO 5354.1D (Marine Corps Equal Opportunity Manual)
(g) MCO 1700.28 (Hazing)

Encl: (1) Statement of 1stLt Klay of 20 Sep 10

1. References (a) and (b), which convened earlier investigations, are rescinded. I find that the investigation conducted under reference (a) was incomplete and the investigation convened under reference (b) to be sufficiently related to the allegations in enclosure (1) to warrant one single investigation. Pursuant to reference (c), this appoints you to investigate the facts and circumstances surrounding allegations described within enclosure (1) of sexual harassment and hazing occurring at Marine Barracks Washington (MBW) in violation of references (d) through (g) and to investigate the allegations of misconduct existing within the MBW Protocol Section, previously encompassed in reference (b).

2. You are to investigate all facts and circumstances surrounding these allegations, including addressing these issues: (1) whether the actions of Captain Brian J. Wilson on or about 24 April 2010, in which he allegedly confronted First Lieutenant Klay about observations he claimed to make regarding her laying in bed with First Lieutenant Matthew J. Bowman in Center House, amounted to hazing or sexual harassment; (2) whether discussions by or among Marine Barracks Washington personnel regarding sexual activity by First Lieutenant Klay, if they occurred, amounted to hazing or sexual harassment; (3) whether First Lieutenant Klay reported hazing, sexual harassment, or other misconduct and, if so, whether Marine Barracks Washington personnel appropriately processed her complaint; and (4) whether misconduct occurred by members of the Protocol Section and whether this misconduct amounted to hazing or sexual harassment.

3. Report your findings of fact, opinions and recommendations in standard naval letter format by 7 February 2011, unless an extension of time is granted.

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4. Your opinions should include whether any person involved in this investigation committed misconduct and/or, if not criminal in nature, whether any party committed conduct that fell short of expected Marine Corps standards. Your recommendations should include whether disciplinary and/or adverse administrative action is necessary for any person.

5. If you have not previously done so, read chapter II of reference (c) in its entirety before beginning your investigation. References (d) through (g) should also be consulted during the course of your investigation. Additionally, Major John A. Barclay, by copy hereof, is assigned to assist you in your investigative efforts.

6. You may seek legal advice during the conduct of this investigation from the Marine Corps Combat Development Command Staff Judge Advocate, Colonel C. W. Miner, who can be reached at christopher.miner@usmc.mil or at (703) 432-8168.


P. D. MONTANUS

Copy to:
Maj Barclay