

Fort Hood AR 15-6 Investigation Executive Summary

In September 2020, General Michael Garrett, Commanding General of U.S. Army Forces Command, appointed General John Murray, Commanding General of U.S. Army Futures Command, as an investigating officer pursuant to Army Regulation 15-6 (AR 15-6). The investigation evaluated unit leaders at various levels and their responses to the disappearance and murder of Specialist (SPC) Vanessa Guillén at Fort Hood, Texas on 22 April 2020. It also examined several collateral issues: the alleged sexual harassment of SPC Guillén; the alleged sexual harassment committed by Specialist Aaron Robinson; the 3rd Cavalry Regiment (Regiment)'s Sexual Harassment/Assault Response and Prevention (SHARP) program; the Regiment's accountability of personnel; the Regiment's procedures for personnel assignments; and the Regiment's arms room procedures.

The administrative investigation does not include alleged criminal misconduct connected to the disappearance and death of SPC Guillén. Those criminal matters remain under investigation by the Federal Bureau of Investigation, the U.S. Army Criminal Investigation Command (CID), and other law enforcement agencies under the supervision of the United States Attorney's Office.

The investigation was conducted separately from the Fort Hood Independent Review Committee/Panel commissioned by the Secretary of the Army and the Army Chief of Staff, which focused its efforts on the command climate of Fort Hood and the corresponding impact to safety, welfare, and readiness of Soldiers across the installation.

GEN Murray led a team of 10 appointed assistant investigating officers and a supporting staff of 50 subject matter experts, administrative, and legal support professionals. The team interviewed 151 witnesses, reviewed over 6,000 emails, and analyzed over 11,500 pages of documents. The investigation was submitted to U.S. Army Forces Command on 24 November 2020. In accordance with AR 15-6 and its due process procedures, GEN Garrett provided notice and an opportunity to respond to several officers. On 5 March 2021, GEN Garrett reviewed the complete investigation before taking action on the findings and recommendations. Below is a summary of the approved investigation.

Summary of Key Events

The investigating officer highlighted several important events which informed the findings of the investigation:

In late summer of 2019, SPC Guillén (then a Private First Class) was in her troop orderly room when one of her supervisors made an inappropriate sexual comment in Spanish which SPC Guillén translated as a solicitation for her to participate in a "threesome." Following this incident, another supervisor noticed a marked change in her demeanor, which prompted the supervisor to ask if she was okay. It was then that SPC Guillén reported the incident to her supervisor and another Soldier. She later confided in

select peers. Between 16 September 2019 and 9 October 2019, two Soldiers reported this incident to her unit leadership, who failed to initiate an investigation.

The Investigating Officer determined that SPC Guillén's supervisor was unprofessional and the supervisor's counterproductive behaviors adversely effected SPC Guillén and others. This supervisor specifically targeted her, called her out in front of her peers, and consistently made an example out of her. During a field training exercise, this same supervisor encountered SPC Guillén while she performed personal hygiene in the wood line and SPC Guillén reported that this made her uncomfortable. During this time, she was under cover in the wood line.

While the investigating officer did find evidence of sexual harassment and mistreatment toward SPC Guillén, after examining all the evidence and witness statements, he determined that those incidents were not related to her murder.

Starting in mid-March 2020, the COVID-19 pandemic significantly affected the way units on Fort Hood conducted day-to-day operations and executed accountability of Soldiers. Shelter-in-place policies were introduced, which limited face-to-face interactions except for duties deemed mission essential. SPC Guillén's work as a Small Arms/Artillery Repairer was considered mission essential. She and others were allowed to come to work in civilian clothes due to the COVID-19 environment.

On the morning of Wednesday, 22 April 2020, SPC Guillén was on duty and had two assigned tasks: (1) to inspect and process broken equipment for turn-in in the Headquarters and Headquarters Troop's (HHT) arms room (first arms room); and (2) to visually validate the serial number of a machine gun in the arms room of A Troop, Regimental Engineer Squadron or ARES (second arms room). She arrived at the first arms room at 10:03 a.m. and began her work. The second arms room, located in a nearby building, was opened and occupied by SPC Aaron Robinson, the ARES armorer. At approximately 10:15 a.m., SPC Guillén went to the second arms room to validate the serial number.

At 10:23 a.m., SPC Guillén's supervisor received a text of the machine gun's serial number from SPC Guillén's phone. This was the last known contact anyone had with SPC Guillén.

The Soldier who opened the first arms room (HHT) texted SPC Guillén at 11:05 a.m. to ask when she was returning to the arms room. When she did not respond to text messages by 12:16 p.m., the Soldier safeguarded her debit card, military ID card, and keys left in the first arms room. The Soldier and supervisor went to the second arms room at 12:31 p.m. to look for her but the arms room was locked. The Soldier also contacted SPC Guillén's roommate but the roommate had not seen her since SPC Guillén left their barracks room that morning.

Starting around 8:00 p.m. on 22 April, due to SPC Guillén's unresponsiveness to text messages and calls, several of her close peers became increasingly alarmed. Based on knowledge gained from the Guillén Family and several of SPC Guillén's peers, the Staff

Duty Officer was notified around 10:00 p.m. of the loss of accountability of SPC Guillén. An initial search party, consisting of six Soldiers searched for her throughout the Squadron area from 10:15 p.m. until about 2:25 a.m.

On 23 April, the search for SPC Guillén resumed at 6:30 a.m. By 7:30 a.m., the senior leadership was directly involved in the search efforts. The Squadron and Regimental leadership immediately sensed the suspicious nature of SPC Guillén's disappearance because of her reputation as a good Soldier and the odd circumstances surrounding SPC Guillén leaving her debit card, military ID card, and keys in the arms room.

By 8:00 a.m., SPC Guillén's sister was escorted to the Squadron area to meet with one of SPC Guillén's supervisors. The search continued throughout the morning, and by 1:05 p.m. the Regiment completed a search of its area, including all barracks, arms rooms, motor pools, and unit areas. Regimental leaders coordinated with Fort Hood's Directorate of Emergency Services and Military Police Investigators (MPI) for a missing person's report. At 11:51 a.m. on 24 April, CID took over the case from MPI.

Beginning on 23 April, through coordination with other units on Fort Hood as well as local and regional law enforcement, the Regiment mounted a significant search effort. This included ground searches with thousands of Soldiers, working dog teams, and air searches by helicopter and unmanned aerial systems. The Squadron and Regiment conducted the intense search within the first 24 hours of SPC Guillén's disappearance. These intensive search efforts continued for weeks and included increased involvement from civilian law enforcement agencies and private groups.

Summary of Key Findings

SPC Guillén was Sexually Harassed by a Supervisor; Her Leaders Failed to Take Appropriate Action

SPC Guillén was sexually harassed by a supervisor. This supervisor created an intimidating, hostile environment. The unit leadership was informed of the harassment as well as the supervisor's counterproductive leadership, and failed to take appropriate action.

SPC Robinson Sexually Harassed Another Soldier (not SPC Guillén)

From April to September 2019, SPC Robinson sexually harassed a female SPC at Fort Hood. During the course of the investigation, the investigating officer found no credible evidence to conclude SPC Robinson sexually harassed SPC Guillén or that they had any relationship outside of their work setting.

The Regiment did not Sufficiently Emphasize the Response and Prevention of Sexual Harassment

Overall, the Regiment's command climate did not sufficiently emphasize the response and prevention of sexual assault or sexual harassment. SPC Guillén's leadership was not sufficiently involved in the SHARP program. Recovering from

longstanding deficiencies, the ineffectiveness of Fort Hood's SHARP Program compounded the problems in the Regiment.

SPC Guillen's unit did not properly follow accountability standards for Soldiers during the "shelter in place" order.

The unit leadership did not take reasonable and appropriate actions to implement accountability procedures in line with higher headquarter standards, issue clear verbal or written direction, or enforce the standard. Due to a lack of sufficient guidance, misunderstanding existed surrounding the purpose of the barracks room checks, resulting in a duty non-commissioned officer reporting accountability of SPC Guillen on the afternoon of 22 April, without personally confirming her whereabouts.

The Acting Senior Commander of Fort Hood Failed to Effectively Engage the Media and the Public Following SPC Guillén's Disappearance

The Acting Senior Commander of Fort Hood and his staff were overly reluctant to engage the media and correct inaccurate information. This reluctance was driven by a firm belief that the command should prioritize the protection of the integrity of the investigation over command engagement with the media. By taking this cautious stance, the Acting Senior Commander failed to react appropriately to the high-profile incident over time. This contributed to an inability to inform and educate the public in a timely manner, and maintain transparency with the Guillén family. By the time Fort Hood developed a media communications strategy on 29 June, Fort Hood had lost the trust of the Guillén Family, the surrounding community, and the Nation.

The Army was Ineffective at Engaging in Social Media

Media, and more specifically social media, played a central role in establishing the negative information environment surrounding Fort Hood's response to the disappearance of SPC Guillén. Fort Hood Public Affairs Office and CID Public Affairs Office were ill-staffed, ill-trained, and ill-prepared to effectively address the social media information environment. The Army ceded the social media space, lost the opportunity to inform and educate the public in a timely fashion.

Leaders Failed to Take Corrective Actions Regarding a Toxic Leader

SPC Guillén's leadership failed to hold SPC Guillén's supervisor accountable. They knew of the aggressive and counterproductive leadership but took no action. Senior non-commissioned officers were aware of the concerns with this supervisor and failed to advise their leadership before this individual was moved from one squadron to another.

The Search for SPC Guillén was Immediate and Well-Coordinated

The Squadron and Regimental leadership immediately recognized the unique circumstances of SPC Guillén's disappearance on 22 April and determined that her absence was not voluntary. Starting on 23 April, these leaders directed a massive search for SPC Guillén. Also confirming SPC Guillén's unusual disappearance and

assisting in the search efforts, CID took over the case from MPI at 11:51 a.m. on 24 April (around 28 hours after she was reported as missing). Later that day at 3:12 p.m., CID submitted a Serious Incident Report Executive Summary to the U.S. Army Operations Center stating that SPC Guillén was a "missing Soldier" whose disappearance occurred under "unusual" circumstances. Unfortunately, these search efforts were all in vain; SPC Robinson is believed to have killed SPC Guillén in the arms room on 22 April and subsequently hid her body outside of Fort Hood.

The Army Did Not Have an Appropriate Classification of Duty Status

SPC Guillén's disappearance highlighted gaps and ambiguities in U.S. Army policies regarding the characterization of Soldiers who are missing. It is U.S. Army policy that when a Soldier does not "report" during an accountability formation, that Soldier is considered "Absent Without Leave" (AWOL) after 24 hours, unless there is clear evidence that the absence is involuntary. Although the Chain of Command believed that SPC Guillén was involuntarily absent, guidance they received from Human Resources Command (HRC) and the Casualty and Mortuary Affairs Operations Division (CMAOD) was that they lacked sufficient evidence to support a missing status determination. Therefore, SPC Guillén's duty status was listed as "AWOL" from 24 April until 30 June. The Squadron and Regimental leadership decided to deviate from additional actions for AWOL Soldiers required by regulations - such as dropping SPC Guillén from rolls and labeling her a deserter - to keep faith with her family, and because they accurately assessed that she was not a voluntary absentee.

SPC Guillén's AWOL status was an administrative matter and did not impact the Regiment's prioritization of time, effort, and resources dedicated to searching for her. However, the Army's policy requiring an AWOL duty status sent the wrong message, creating an inaccurate perception that she had voluntarily abandoned her unit and limiting the command's access to certain resources, such as casualty assistance officer to liaise with the family. The Army has since published a new policy on duty status of missing Soldiers to correct these gaps and ambiguities.

Accountability Actions

The senior leadership of III Corps, FORSCOM, and the Army have taken many actions to hold leaders at all levels accountable for the failures identified in the both the Fort Hood Independent Review Committee (FHIRC) Report and the AR 15-6 investigation discussed above.

In December 2020, then-Secretary McCarthy relieved or suspended fourteen Fort Hood and CID leaders based on the FHIRC report. Based on the findings of the AR 15-6 investigation, III Corps and FORSCOM leaders have now directed the relief of six officers and non-commissioned officers who held leadership positions in 3CR, and are taking adverse administrative action (including General Officer Memoranda of Reprimand) regarding eleven officers and non-commissioned officers.