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CRISTINA GARCIA
CHAIR: JOINT LEGISLATIVE COMMITTEE ON CLIMATE CHANGE POLICIES
ASSEMBLYMEMBER, FIFTY-EIGHTH DISTRICT

COMMITTEES
BUDGET
ENVIRONMENT SAFETY AND TOXIC
MATERIALS
NATURAL RESOURCES
UTILITIES AND ENERGY
WATER, PARKS AND WILDLIFE
BUDGET SUBCOMMITTEE # 3 ON
RESOURCES AND TRANSPORTATION

July 23, 2020

Sean O'Donnell
Acting Inspector General
Office of the Inspector General
4800 Mark Center Drive
Alexandria, VA 22350-1500

Dear Acting Inspector General O'Donnell:

I am deeply saddened by developments following the disappearance of Specialist (SPC) Vanessa Guillén, whose remains were discovered earlier this month. SPC Guillén's disappearance raises deep, troubling concerns about the Army's ability to prevent sexual harassment and assault, respond to criminal acts, and provide justice for victims and their families. I worry that these shortcomings are not limited to a single case or installation, and require a decisive response. A full investigation of the circumstances surrounding SPC Guillén's disappearance should serve as the starting point for accountability and change.

Three facts surrounding SPC Guillén case raise serious doubts about the Army's ability to establish a safe workplace culture and respond to criminal acts. First, SPC Guillén shared with her family that she was sexually harassed at work by a superior non-commissioned officer, but did not formally report the harassment. Second, it appears that SPC Guillén did not report her harassment because she did not trust her leadership to take her report seriously, which fits a broader pattern of the military downplaying the severity of sexual harassment and assault in the ranks.¹ Third, I am gravely concerned with the appearance that the army was able to marshal significant investigative resources *after* her family began a social media campaign with the hashtags #IAmVanessaGuillén and #FindMySister. If the Army must rely on relatives, not commanders or comrades, to take the initiative in locating missing soldiers, there is something fundamentally broken in the institution.

I believe a thorough investigation by the Department of Defense Inspector General can help establish a number of crucial facts about SPC Guillén's workplace, disappearance, and the Army's response to both. Having each spent much of the last decade working assiduously to address sexual assault and the culture that enables it, I am dismayed that I must ask these

¹ "I Am Vanessa Guillén", Erin Kirk-Cuomo, *Defense One*, June 30 2020.
<https://www.defenseone.com/ideas/2020/06/i-am-vanessa-guillen/166554/>

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questions in the wake of SPC Guillén's disappearance, but remain resolved to continue making the military a safer place for all.

I ask that you investigate at least the following questions:

1. What was the command climate in SPC Guillén's unit?
 - a. Did commanders in and above the unit have reasons to be concerned about the workplace culture? Were any complaints made by the individuals in the unit regarding command climate?
 - b. If there were concerns, what remedial actions, if any, were taken? By who and when?
 - c. Did soldiers in SPC Guillén's command feel comfortable raising complaints of sexual harassment, or other issues with workplace culture and safety?
2. What was SPC Guillén's relationship with any suspect(s) in her disappearance?
 - a. Were any suspect(s) in a position of authority over her?
 - b. Did any suspect(s) exploit this position by sexually harassing or assaulting SPC Guillén or other soldiers during this or other tours of duty?
 - c. If any suspect was a service member but not in a position of authority, did he nonetheless sexually harass SPC Guillén or other soldiers during this or other tours of duty?
 - d. Were commanders, enlisted leaders, or others in positions of authority made aware of any workplace or other safety issues caused by the suspect(s)?
 - e. Were any remedial actions taken?
 - f. When and how did the Army learn of SPC Guillén's allegation of sexual harassment?
3. What was the timeline of SPC Guillén's disappearance and the resulting investigation?
 - a. When did SPC Guillén disappear and what were the circumstances of that disappearance?
 - b. When did friends, family, superiors, or others notice she was missing?
 - c. When was she reported missing? To whom? When was she reported missing to civilian authorities?
 - d. When did Army officials begin investigating her disappearance?
 - e. When and how did the Army first use social media or local media outlets to publicize SPC Guillén's disappearance and request assistance?
4. How did the Army investigate SPC Guillén's disappearance?
 - a. What tools, techniques, or methods were employed?

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- b. Were the soldiers in SPC Guillén’s unit, armory work section, and barracks interviewed regarding her disappearance? When and by what agency?
 - c. When did the Army request assistance from other agencies? What assistance was requested from what agencies?
 - d. How were investigative requirements divided between civilian law enforcement, Army Criminal Investigation Division, and other Fort Hood soldiers?
 - e. Were untrained soldiers ever used to perform investigative functions because there were not trained enough investigators available to perform those functions?
 - f. What was the basis for the statement made by an Army representative that: “We (CID) have no credible information or reports that Vanessa was sexually assaulted.”
5. What are the implications of and lessons that can be learned from this tragedy?
- a. Were procedures and protocols for building inclusive and safe workplace cultures followed?
 - b. Do they need to be reformed?
 - c. Were relevant investigatory guidelines followed?
 - d. Do they need to be reformed?
 - e. Which Army leaders, if any, should be held accountable for SPC Guillén’s disappearance and any deficiencies in command climate and/or the investigation?

I look forward to the announcement of your investigation soon. Please feel free to contact me if you have any questions.

Sincerely,

CRISTINA GARCIA
Assemblymember, 58th District
Chair, Joint Legislative Committee On Climate Change Policies