

December 14, 2010

Office of Special Counsel

Attn: Attorney Tracy Biggs

1730 M Street, N.W., Suite 218

Washington, D.C. 20036-4505

Dear Ms. Biggs:

I am writing in response to the report from the Department of the Army which was issued in response to my complaint to the Office of Special Counsel about violations and danger to the employees of Tobyhanna Army Depot (OSC File No. DI-09-1816).

After reviewing the provided report I would like to point out some obvious inconsistencies and variations of actual facts that were reported.

First I would like to point out that when I filed my complaint with OSC, I stated that my name could be used only if necessary to conduct a thorough investigation. Upon Tobyhanna Army Depot receiving the complaint they assigned a Tobyhanna Director to investigate this case (IO). This IO immediately notified Ashley Haynes of my complaint and my involvement with filing such complaint. Haynes is my immediate supervisor. I expressed to the IO my concerns with Haynes being aware of my involvement because he is my immediate supervisor. The IO assured me that there was protection to me as the whistleblower. I asked him how I could prove that Haynes would hold this complaint against me when my name was on a list for promotion. He insisted that Haynes would be professional. Throughout the time the complaint was being investigated Haynes attempted to terminate my employment with the TAYD Police Dept. at least twice and attempted to write me up for frivolous reasons several times. Thankfully I had the perseverance to fight back and my supervisor (Lieutenant) stood behind me. I am certain that my career has been destroyed by this complaint. As long as Haynes has authority over me I will never advance at TYAD. I feel my best option at this point is to terminate my employment at TYAD.

Secondly a request for documents was made by the IO. Haynes ordered his trusted employees to gather, check, and correct all documents prior to presenting them to the IO for examination. Could it be that the documents that detailed my complaint were altered or excluded?

Third I would like to point out that there is a tremendous amount of fear of retaliation within TYAD Security Division. I feel that those interviewed were not truly honest because of concern for their own careers. Haynes made this point loud and clear when he attempted to write me up and reassign me as described above.

Next I would like to address the inconsistencies and variations of facts that TYAD had reported.

On page 6 under the heading "Firearms Qualification" the report states that TYAD uses three different ranges for weapons qualification (Gouldsboro range, Starr Uniform Range, and the Rt. 423 Range). This is only partly true. Tobyhanna does not use nor has ever used the Gouldsboro range. The range has never been used because it does not conform to army standards. Furthermore there is a contract in place with Star Uniform so that any new hires could get in and qualify immediately. This contract includes ammunition for qualification. Tobyhanna has never been denied use of the Star Uniform range because of this contract or due to the national ammo shortage. The e-mail attachment (O tab) is from Starr Uniform stating that Starr borrowed ammo from the Scranton SWAT team for Tobyhanna's use. The statement of Haynes dated 8/12/09 (L tab) is clearly a made up lie to cover up his actions. Specifically the use of the Gouldsboro range to qualify Morgenweck. Haynes states that he took Morgenweck to the Gouldsboro range and qualified him. Why wasn't one of the department's firearms instructors there? Why did they use Gouldsboro range when there is a contract with Starr? Haynes states he did this in Oct/Nov 2008 and he also states the ammunition restriction at the Gouldsboro range was imposed in 2009. He used the ammo restriction as an excuse for not documenting a score card for Morgenweck. Did he predict the future?

This is just one example of the literally 100's of discrepancies I had found with this report. It is impossible for me to detail all the issues listed in this 14 month long investigation in the time frame OSC has provided.

I would like to end by stating I am not pleased with the results of this investigation and the methods used while conducting such. I feel it has cost me my career at TYAD.

Thank You,

A handwritten signature in black ink, appearing to read "Patrick Wall", written in a cursive style.

Patrick Wall