

**Comments of Christopher Lee Sajnog regarding OSC Investigation File Number DI-14-1450 and the USCG Investigative Service Report of Investigation Dated 15 July 2014 and signed on 8/14/2014.**

February 08, 2016

From: Christopher Lee Sajnog

To: The Office of Special Counsel

CGIS was directed to investigate my claims that the USCG ignored my concerns of:  
a) Safety for deploying USCG members who were not trained properly and;  
b) Retaliation by my supervisors for disclosing my safety concerns over a period of approximately four years.

The report was mailed to me by the OSC on 12/14/15.

After my initial review of the report, it was quickly apparent **the USCG did not investigate my safety concerns as they were directed — the USCG, in another clear act of retaliation against me, investigated me.** Due to this fact, I requested that I have more time to make my comments and this was approved by the OSC.

The report I received is eight pages along with enclosures labeled 10, 12, 23 Attachment (E), 26, 27, and 32.

Page 2 is 50% redacted, pages 3 and 4 on 100% redacted, page 5 is 80% redacted. This includes the majority of the "Investigative Results." I contacted the OSC and was told the redacted information was "not related to my safety claims and the items CGIS was directed to investigate."

Pages 7 and 8 list 34 Enclosures, of which I received only six (6) partial enclosures.

**I request to see the redacted information and all of the complete enclosures in the CGIS official report concerning my safety concerns.**

Below is my review of the heavily redacted CGIS report:

**BACKGROUND INFORMATION**

1. CGIS investigators confirm they understand what they are charged to investigate: "...retaliation against him by his command for expressing his safety concerns about weapon safety...PACTACLET command is ignoring numerous and repeated weapons safety violations committed by USCG personnel while conducting live fire training; and deploying personnel who are deemed to be weapons qualified despite the personnel not having the requisite weapons handling skills and/or safety knowledge."

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2. The report states they used ME1 Eric WARREN who "holds similar qualifications as Mr. SAJNOG." I am a certified Master Training Specialist, retired Navy SEAL instructor, Range Safety Officer and have been training the USCG as my primary job for five years. ME1 Eric WARREN has been to a 2-week school less than a year ago to teach Close Quarters Combat as a collateral duty. This is in no way "similar" to my qualifications. I have not been to the school he went through and don't hold the qualification he holds.

**I request to know how many hours of leading CQC training ME1 WARREN has had to qualify him as having "extensive experience."**

3. The report wrongfully states what qualifies me as an instructor. I do not hold a "CQCI" qualification. My designation is a Close Quarters Combat Training Coordinator and my position description includes not only instructing CQC, but also writing the curriculum and using my experience in making changes to existing curriculum.

**Investigative Results**

All results have been redacted until page five (5), item #9.

a. **I request to know who was interviewed and see their official statements.** A general statement saying everyone but me denies any knowledge of weapon safety violations being ignored is impossible for me to comment on, except to say the claims were clearly not "investigated."

b. The PAB Board described here was something I developed. It was in use for a short while, but as described and documented in detail in the evidence I provided to CGIS investigators — PACTACLET officially stopped using the system due to the high number of major weapon safety violations at the command. When one of the USCG members needed to deploy the following week had a major safety violation and was going to have to go to another PAB Board and would not be able to deploy. After I conducted a FSB with other instructors and reported the violation to the PACTACLET training officer CWO GONZALEZ, he sent out an official memorandum suspending the PAB Board process. The command later restarted the PAB Board.

c. The official letter I sent to the Commanding Officer of PACTACLET, CDR GOMEZ was after the command ignored this specific concern. I followed the proper FSB procedures for PO POHTS major safety violation and removed him from the range and reported to the PACTACLET training Officer CWO GONZALEZ that PO POHTS was removed from the range and needs to go to a PAB Board. The next morning PO POHTS was sent to the range with a USCG firearms instructor and was allowed to shoot his basic firearms qualifications courses so he could deploy with his weapons qualifications. They clearly ignored his major weapon safety violation the previous day so he could deploy and sent him with a USCG instructor because they knew I

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wouldn't do it and the other civilian Close Quarters Combat Training Coordinator, Mr. ZIEHMN, who also witnessed PO POHTS safety violation, would not allow him to shoot.

PO POHTS did go through a PAB Board on 15 April 2015, after he deployed with his weapons qualifications. I never received a reply from CDR GOMEZ regarding any of my concerns about the long-standing lack of safety and that PACTACLET is deploying members without proper training.

d. ME1 WARREN never observed me running training and we never discussed how I run training. His comment that the major safety issue at PACTACLET is due to how I run training is not only completely unsubstantiated and ignorant, but is also clearly retaliation against me as a whistle blower.

**e. The report states, "No evidence was uncovered to indicate PACTACLET was ignoring reported weapons safety issues."**

I submitted over 200 pages of documented evidence to Mr. JEANFREAU, both electronically and hard copies. I submitted a complete timeline to him showing what was ignored and when with references to my communications regarding each case. None of this is referenced in this official investigation report. Mr. JEANFREAU left San Diego, CA and concluded their investigation before I was able to hand over all the documented evidence of PACTACLETs lack of safety even though I had said I had to print it all out for him. I mailed a package to Mr. JEANFREAU on 6/16/14 via USPS and have the original receipt, which shows I mailed him a package weighing 2lbs, 4.70oz. The Flat Rate , Medium box weighs 7.1oz, which means there was 1lb, 13.6oz of paper in the box. A sheet of copy paper weighs 0.16 oz, so I mailed an estimated 185 pieces of evidence showing the command was ignoring my safety concerns and retaliating against me as a whistle blower.

It's clear that Mr. JEANFREAU, in a coordinated cover up with CDR GOMEZ, LCDR ARRITT and CWO GONZALEZ from PACTACLET destroyed official evidence from a Congressional investigation and worked together to retaliate against me as a whistle blower.

**Special Agent's Note:**

Regarding the statement that PACTACLET is following proper safety procedures: one of my major concerns is that the instructions that PACTACLET uses to train their members are insufficient. The fact that their dangerously under-trained instructors follow the manual rather than ignore my concerns is much more relevant. This was supposed to be an investigation about safety, not about administrative procedures.

**10. Regarding PACTACLET deploying personnel who were not qualified.**

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c. The USCG investigator states, "No evidence was submitted by Mr. SAJNOG to support his allegation..." Again, I submitted over 200 pages of evidence to Mr. JEANFREAU, which support my allegation.

Although the majority of this investigation is retaliation against me, even the small part Mr. JEANFREAU investigated, he got wrong. My safety concerns are not whether or not PACTACLET filed the proper paperwork for deploying members. PACTACLET has a member about to deploy go through TST and have a major safety violation. I use the proper procedures to inform the command and document why the member should not handle firearms. The member can now not deploy with his TST qualification, so PACTACLET gives the member his basic weapons qualification, then follows their procedure to get a waiver for the member only having his basic weapons qualifications.

I further provided evidence that the training received by USCG members prior to deploying is insufficient. This is another example of evidence of my concerns members are deploying that are insufficiently qualified — not that the proper paperwork was filed. I provided written evidence to CDR GOMEZ, LCDR ARRITT and CWO GONZALEZ from PACTACLET, as well as the previous commanding officer; CDR TOTTE that the training conducted was insufficient and dangerous. My first documented concern of this was on 7/29/2011. I provided all of this evidence to Mr. JEANFREAU as well, but he still seemed to be unable to uncover it.

The USCG is deploying its members to conduct high-risk boarding of vessels, while underway and at night. No part of their training is done on a vessel, underway or at night. There are many examples of case law that uphold the simple fact that for any training to be valid, it needs to be conducted in the conditions for which the officer is expected to operate. PACTACLET, as well as almost every other unit in the USCG does not train their members to make stressful decisions with automatic weapons in their hands in the environment they are expected to operate.

One of several examples of documented case law, which I provided and shows the USCG members are deploying without proper training is *Tuttle vs. Oklahoma*, which determined that for training to be valid, it must be realistic. This means it must incorporate stress, decision-making (shoot, no-shoot), attitude, knowledge, skill, moving targets, moving officers and low-light shooting.

The USCG TST requirements do not allow nor require skills such as shooting under stress, shooting moving targets or low-light shooting. There is also no requirement by the USCG to have part of each training be conducted on a vessel, which is the environment they are being "qualified" to operate in. This is one example of the 200 pages of "evidence" Mr. JEANFREAU could have used to support my allegations.

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**ENCLOSURES:**

I only received enclosures labeled 10, 12, 23 Attachment (E), 26, 27, and 32.

I request to review all enclosures for comment regarding the USCG investigation into my concerns of the lack of safety at PACTACLET and the subsequent retaliation for my disclosures.

Most of the enclosures I received seem to be incomplete, so I'm unable to comment.

**Enclosure #10: LT SEDA Interview**

Special Agent's Note:

Again, Mr. JEANFREAU states I did not disclose any evidence that personnel do not have the "requisite skills and/or safety knowledge." He does state here that I provided documentation. He says it "appears to be the opinion of SAJNOG...rather than objective criteria which can be verified through records."

I provided approximately 200 pages of records to verify PACTACLET is deploying members without the requisite skills and/or safety knowledge.

I request that someone outside of the USCG review the massive amount of evidence I provided since Mr. JEANFREAU and his team at CGIS clearly did not investigate my allegations.

**Enclosure #10: ME1 WARREN Interview**

b. WARREN has never observed my training and his statement does not address my concerns, but rather retaliates against me.

ME1 WARREN, along with the command staff at PACTACLET seems to think a waiver is what's needed for safety. ME1 WARREN's statement that the stress of failing TST is a safety concern demonstrates his complete ignorance of what we are training for. If the USCG members can't function safely under the (supposed) stress of passing TST — he thinks they should be deployed to take down ships at night, underway with other people shooting at them?

ME1 WARREN's statement about me "over-complicating" a task is again without basis and further proves he is far from having "similar qualifications" to me. ME1 WARREN did not discuss this (or any other) concern with me. ME1 WARREN has never observed my training. Anyone who's gone through any instructor development course would readily note the process as a set of step-by-step instructions. This should be given any time you are teaching material. ME1 WARREN does not understand this is due to the fact that he does not instruct people on how to perform a door check. SMTC does not have doors in the building members are

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trained in, so when they come to PACTACLET they have not been trained on how to perform a door check — I need to teach them.

**Additional Notes Regarding the Report**

When I mailed the evidence packet to Mr. JEANFREAU, I included a note stating that when Mr. JEANFREAU interviewed me on 6-17-14, he told me that all of my allegations were false and that he already spoke with the LCDR ARRITT and that LCDR ARRITT provided all the evidence to prove I was lying. I have provided a copy of this letter as an attachment titled, Letter Sent to CGIS with safety evidence.

I have attached copies of all the evidence I have in my possession, as I'm not sure how much Mr. JEANFREAU destroyed. Much of the remaining evidence was on my USCG computer, to which I no longer have access. I request a competent investigator to secure and review the evidence on my USCG hard drive.

I have attached a timeline, which documents when I raised my safety concerns, how PACTACLET retaliated against me and how it eventually led me to require time away from work due to the hostile work environment.

The timeline also includes issues that have happened since the investigation was completed, including that PACTACLET along with other USCG commands including LANTAREA and FORCECOM knowingly lied about the safety conditions at PACTACLET to me and to CGIS and allowed it's members to be trained in conditions they knew were unsafe. It also includes new issues of retaliation against me since I discovered the cover up.

One of my safety concerns was that the range we trained at had never had the required safety inspection. The day after I raised this concern with LCDR ARRITT, I received a letter of reprimand. During the supposed investigation I was told by LCDR ARRITT, CDR GOMEZ, CWO GONZALEZ, senior members of the USCG Safety Inspection Team as well as Mr. JEANFREAU that the range had been inspected according to USCG safety regulations. I found out at a meeting around Aug 2015 (all the exact dates and details are on my work computer) that GMC WHANGER, the member of PACTACLET in charge of the ranges, talked to FORCECOM leaders who said they have not inspected the range and would not do an inspection because they knew it was unsafe. LCDR CRAIG called me the next day and asked me "not to report this" and asked for time to fix it. The harassment, which I thought had ended, started again after this. The first time the range had ever been inspected is dated 22 Sep 2015. I have included a copy of this report and ask that an outside investigator verify that this is the first "annual" safety inspection ever documented, that this safety concern was documented by me to LCDR ARRITT and CDR GOMEZ in 2014, that they told me and CGIS investigators that the inspection was completed and valid at some point in 2014, that I received an unrelated letter of reprimand from

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LCDR ARRITT the day following my written request to see the range inspection sheet and that all of this information was made available to Mr. JEANFREAU for his investigation into my claims of unsafe training conditions at PACTACLET.

After LCDR CRAIG and CDR GOMEZ found out that their lies to the President, Congress, CGIS Investigators and myself were exposed and that they along with CDR TOTTE, LCDR ARRITT, CWO GONZALEZ, FORCECOM and LANTAREA had all knowingly been directing high-risk training under unsafe conditions and put myself and hundreds of USCG members lives in danger — They retaliated against me as a whistle blower.

As part of a separate mediation agreement, the USCG agreed to allow me to perform Physical Training for 180-minutes per week as part of my permanent job description, adding the following to my official work plan, which was signed by CDR GOMEZ and LCDR CRAIG on 04/30/2015: "In accordance with your signed mediation agreement, you are required to perform physical training for 180-minutes per week as part of your permanent job description. This requirement is specific to you and is separate from ALCOAST 079/15."

This work plan was reviewed with me and signed again by LCDR CRAIG on 8/13/2015 (I believe this was just a few days before the meeting were I found out the range had not been inspected. I have the exact dates on my work computer).

In December 2015, I had a meeting with LCDR CRAIG in which he said they were not going to honor the terms of the mediation agreement. He removed that job requirement from my work plan and said I can still work out like the rest of the USCG civilians in accordance with ALCOAST 079/15. He said that change is because the agreement was made before ALCOAST 079/15 came out, so now they don't have to honor their agreement.

ALCOAST 079/15 came out before my work plan was signed on 4/30/2015, that's why the line above this in my work plan is: "In accordance with ALCOAST 079/15, you may participate in physical fitness activities during the work day as long as your participation in fitness activities does not disrupt unit or work efficiency or effectiveness."

This action is not only illegal, but is also clearly retaliation, occurring only after I uncovered their lies.

I respectfully request that an outside agency investigate the safety concerns I've raised and have documented for nearly five years before raising my concerns with the OSC. I further request that the retaliation against me be investigated by an outside agency. I've given all the documented evidence I had to the USCG to

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investigate itself and not a single item was actually investigated or documented in the USCG report.

CGIS clearly did not investigate any of my safety claims or the retaliation I've been subject to since first disclosing my concerns in 2010.

CGIS used its power to investigate me. This is the definition of retaliation. The fact that they did it and documented it in a Congressional investigation shows how completely misguided the USCG is and why a government agency should not be directed to investigate itself.

Due to the continued and increasing hostile work environment since filing my complaint with the OSC, as well as the danger to my life from unsafe training conditions, I was ordered by my physician to spend some time away from work to recover from the stress and its negative affects on my physical and mental health. I provided the required documentation to my supervisor, CDR CRAIG, who in violation of Executive Order 5396, denied my ability to seek required medical treatment.

On 1/12/2016 CDR CRAIG and MCPO DAVIS from PACTACLET came to my home and were looking in my windows. I was home, but did not answer the door because I had no idea what they might do to keep me quiet. CDR CRAIG had documentation from my physician that I needed time away from the hostile work environment, which he and other members of PACTACLET created, and I was recovering at home. Yet he decided to come to my home to continue the harassment.

Because the USCG has demonstrated they will go to extreme measures to cover their tracks and has used their armed investigative service to spy on and investigate me, I fear for mine and my families' safety and request protection while a proper investigation is conducted.

The above is my official statement for the parts of the investigation report I was able to see. All of the information I provided is true to the best of my knowledge and all of the claims I've made have supporting documentation on my work computer.



Chris Sajnog

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Attached:

1. SAJNOGs GS13 PD
2. OSC Whistleblower Safety and Retaliation Complaint form
3. BARAN PACTACLET TST 09 - 13 DEC 2013 Failure Report
4. Pohts Paperwork
5. Reprimand Letter - Day after safety complaint
6. Pohts Basic Weapons Safety Issues
7. MEMO ICO ME3 POHTS
8. Emails following Safety Memo to CO
9. Safety Violations and PAB Cancelation
10. Baran Safety Violations
11. Safety Disclosure Witnesses
12. Gmail - Coast Guard inquiry
13. Executive Order 5396
14. Conditions of Employment
15. Retaliation memo from USCG Dr G Taylor
16. 2015-2016 SAJNOG C L Performance Plan-Midterm1
17. Sajnog-LWOP-official-statement\_12-31-15
18. 12-31-15 LWOP email to Supervisor
19. 1-08-16 supervisor denial of executive order
20. Letter Sent to CGIS with safety evidence
21. Postal receipt for evidence mailed to CGIS
22. Unsafe Firearms Practices at command MEMO to CO
23. Retaliation Witnesses
24. Whistleblower Retaliation Timeline
25. Safety timeline
26. Folder: WB Retaliation Enclosures (16 total)
27. FORCECOM First Range Inspection - One year after investigation